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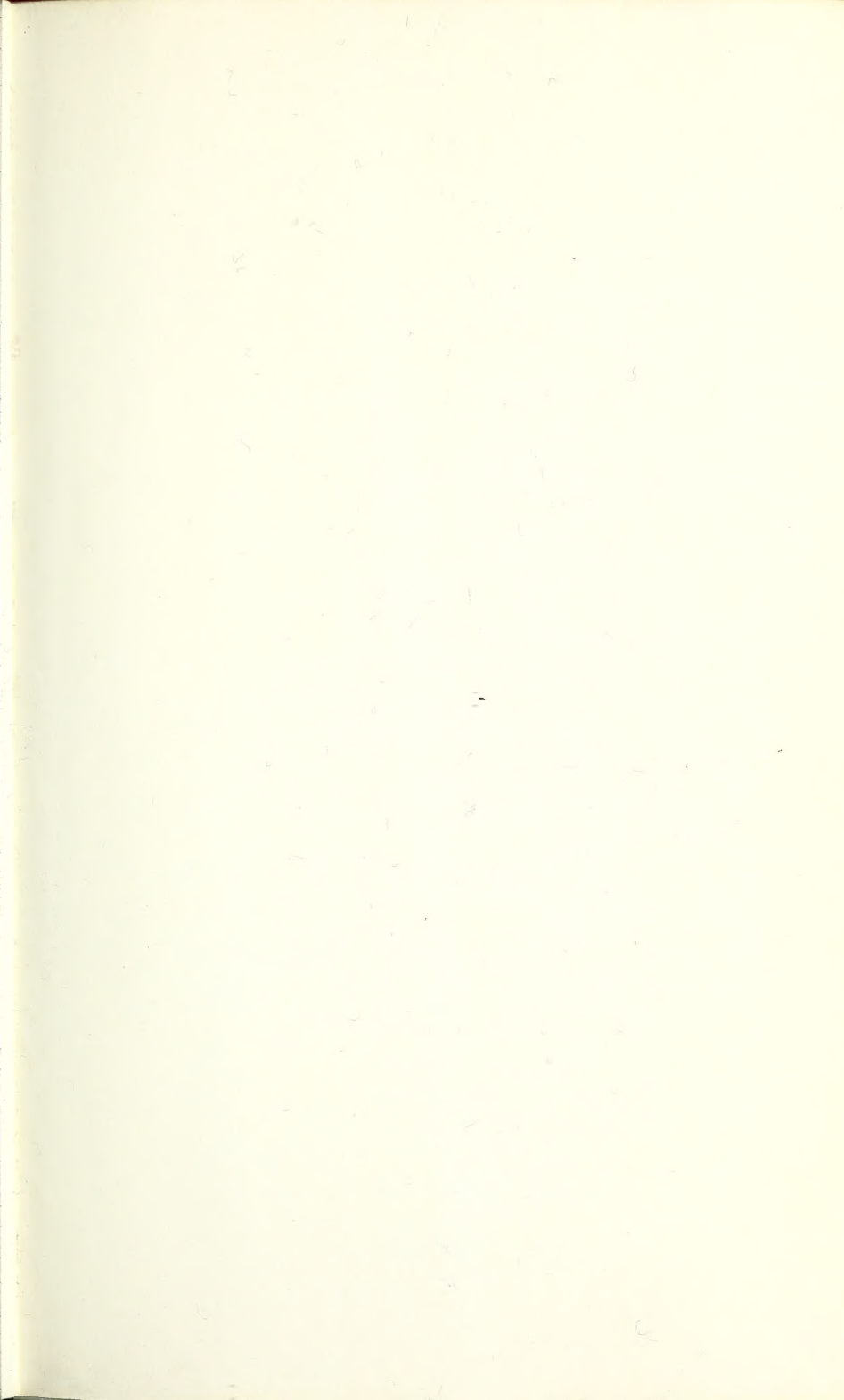
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COLONIAL RECORDS
- PENNSYLVANIA -

1735

PROVINCIAL

AND THE

LEGISLATURE

OF THE PROVINCE OF PENNSYLVANIA

VOL. 1

CONTAINING THE PROCEEDINGS OF THE GENERAL ASSEMBLY

1735, TO 1740

HARRISBURG

PRINTED BY THOMAS J. BROWN

1835

PENNSYLVANIA

MINUTES

OF THE

PROVINCIAL COUNCIL

OF

PENNSYLVANIA,

FROM THE ORGANIZATION TO THE TERMINATION OF THE
PROPRIETARY GOVERNMENT.

PUBLISHED BY THE STATE.

VOL. I.

CONTAINING THE PROCEEDINGS OF COUNCIL FROM MARCH 10th,
1683, TO NOVEMBER 27th, 1700

Harrisburg :

PRINTED BY THEOPHILUS FENN.

.....
1838.



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No. I.

MEMORIAL

OF THE

American Philosophical Society, and of the Historical Society of Philadelphia.

RECOMMENDING THE PUBLICATION OF CERTAIN ANCIENT RECORDS.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania.

The memorial of the American Philosophical Society, held at Philadelphia, for promoting useful knowledge, and of the Historical Society of Pennsylvania, by their committees for this purpose, specially appointed, most respectfully sheweth :

That it is the misfortune of the Nations of the old Continent, that their early history is lost in the night of time. Excepting the Holy Scriptures, no records have been preserved of the first settlements of mankind. All else beyond a period not very remote is veiled in obscurity. Recourse has been had to fabulous traditions made up of fabled Hero's and Demi-gods in abundance, the offsprings of vanity and of ignorance. Of our British ancestors, nothing is known before the invasion of their island by Julius Cæsar, of our German forefathers, the noble defence made by the immortal Herman against the legions of Varus, whom he defeated and conquered, is the first authentic account, after which follows a long period of darkness to the time of their great emperor Charlemagne. The ancient history of Asia, (the cradle of mankind) engages at this moment the attention of the learned of Europe. For that purpose, Asiatic societies have been formed under royal patronage, both in England and in France. The study of Egyptian antiquities is every where patronized, encouraged and promoted. Scientific travellers are sent to that country at royal expense, obelisks and other monuments are imported at an immense cost, and grace the public squares, the museums, and other repositories of the great capitals. England boasts of the rosetta monumental stone. France of her Egyptian obelisk, which once adorned ancient Thebes, and is now erected in the midst of her capital, where it is the most attractive object to the admiration of travellers. Unable to penetrate into the future, man loves to inquire into the past, to interrogate his most remote ancestors, and to learn from their experience how to pursue good and eschew evil. He is disappointed and mortified, when instead of historical facts, he finds fabulous records and incredible tales, more calculated for the amusement of children than the instruction of mankind.

It is the good fortune of the people of these United States, that their early history is not involved in obscurity and doubt. Although of recent origin, it already engages the attention of the learned in this country and elsewhere. Historical and antiquarian societies are established in almost every state in the Union, and their labours are eagerly sought after and read by our citizens with patriotic pleasure, and by foreigners with ardent curiosity.

The history of Pennsylvania deserves and obtains a particular attention. She alone can boast of a founder, whose name will go down to posterity, with those of the most celebrated Legislators. Her citizens are descended from two illustrious nations, alike renowned for science, and for the glory acquired by arms. The mixture of German and of British blood, has implanted in our commonwealth those solid virtues which lead nations to prosperity; and the warmth of the Irish heart, has not contributed a little to the character which she has acquired for generous hospitality. In every respect, her history is full of interest and will become so more and more. It is therefore of the highest importance, that the authentic records from which that history is to be deduced should not be lost to posterity. The facts posterior to our revolution are in no danger of being so lost, the press since that time has been active in perpetuating them, in the shape of journals, newspapers and printed records of every description. But it is not so with the materials of our colonial history. In single manuscript copies, they are deposited in the office of the Secretary of State, where fire or some other accident may in a moment destroy them so that those interesting memorials, unless effectual measures are taken to preserve them, will be lost to us and to our posterity forever.

Among those documents the most important is undoubtedly the minutes of the Provincial Council from the organization of the Colonial government under William Penn, down to the revolution. This invaluable record was fortunately preserved amidst the horrors of war and the troubles attending our revolution. If it should be lost a link will be wanting in the chain of events which constitute the history of our state. Your honors well know that the council were not only possessed of the executive power, but were also a branch of the legislature, as they had a negative upon all the laws proposed by the assembly. If the records of their proceedings should by some accident be lost, many important parts of our colonial history will be left in obscurity, and false notions will at length be established in their stead by the ingenuity or perhaps design of future chroniclers.

More than eighty years ago, in the year 1752, when Pennsylvania was yet a poor infant colony, and her means and resources were not in the least degree to be compared to those of this rich and powerful state, a patriotic legislature caused to be printed at their expense, the votes and proceedings of their predecessors from the time of the landing of the founder, and his first assembly held at Chester in 1682, and the work was continued in six large folio volumes, down to the time of our revolution. The cost of this publication must have been

to them and to the people whom they represented, comparatively immense, while on the contrary, your memorialists have reason to believe that that of publishing the minutes of council will be but trifling, particularly if we consider it in comparison with their importance. They hope that your honors will not show themselves in this respect, less patriotic than their noble and virtuous predecessors.

Next to the minutes of Council, your memorialists consider the treaties made with the Indians under the colonial government, to be the most important. They will be of the utmost interest to our descendants, and it will be highly honorable to this great state, to show to the world that in all the relations of Pennsylvania with the Indian tribes, no recourse has been had to war or to the shedding of human blood, except when we were obliged to combat them as the allies of another nation, who employed them for the purpose of subduing our country.

What other public ante-revolutionary documents there are in the Secretary's office that may be thought worthy of publication, your memorialists do not know; but they would humbly suggest the propriety of having a correct list of them made and published for future consideration; and also, that those who are engaged in the study of the history of our country, may know what materials exist in the possession of the government, which may be consulted by them in the prosecution of their labours.

Your memorialists therefore respectfully pray that your Honors will be pleased to take the above suggestions into their serious consideration, and adopt such measures as their wisdom shall dictate in favor of the objects of this memorial.

And they shall ever pray, &c.

For the American Philosophical Society, held at Philadelphia, for promoting useful knowledge.

PETER S. DU PONCEAU, } Committee.
J. FRANCIS FISHER. }

For the Historical Society of Pennsylvania,

PETER S. DU PONCEAU, } Committee.
JOB R. TYSON, }

Philadelphia, December 8th, 1836.

No. II.

REPORT

OF THE COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

J. WASHINGTON TYSON, *Chairman.*

The Committee to whom was referred the joint memorial of the American Philosophical Society, held at Philadelphia, for promoting useful knowledge and of the Historical Society of Pennsylvania, recommending the publication of certain public records, report:

That they have examined the subject with that attention which its importance and the character of the memorialists demand. These two societies whose memorial is before the committee include a large portion of the intellect, literature and science of Philadelphia. One of them, the Historical society of Pennsylvania, has for its objects, the collection and preservation of the materials of our domestic history. All know how much it has already contributed to these purposes and to the correction of historical errors. Its published memoirs, attest the intelligence, industry and public spirit of its members. About twenty years ago, the Philosophical Society, added to its standing committees, a committee of history. Since that period, it has embraced within the wide circle of its investigations, every thing connected with our state and federal annals. The volume published by the committee, comprising a learned correspondence between Du Ponceau, and Heckewelder, and an excellent account of the Moravian indians, by the latter, as well as the collections which, it is understood, have since been made, constitute some of the Historical claims of the society. As chairman of each of the two committees who drafted the memorial before us, it is gratifying to find the name of the distinguished and venerable Du Ponceau, himself—a name of which the state, nay, the whole country, has so much reason to be proud for his great talents, deep erudition and fervent patriotism.—The memorial is therefore commended to the respectful consideration of this body, by the character of the memorialists who speak in it upon their own subject, upon one with which they may be presumed to be intimately acquainted; and upon one of high and commanding importance to the state.

In regard to the prayer of the memorialists, your committee cannot but heartily concur in the opinion, that it is important to preserve from eventual destruction and all detriment, the records of this commonwealth while under a colonial government, and that the safest means of effecting such preservation, is to cause them to be published and widely distributed through the state. These valuable records, are at present in a state of great insecurity, and liable to many accidents, any one of which may occasion their loss and total destruction. To guard against such events, is therefore of the highest importance.

The history of a country, is all in the acts of its government. The

public records are the only safe materials on which the historian can rely. Before the invention of printing, those documents could with difficulty be preserved; they were liable to be, and immense numbers of them were in fact destroyed by fire, by foreign and civil wars by the perishable quality of their materials, and by the carelessness of those in whose custody they were placed. After the art of printing became known, the jealousy of government, prevented for a long period the publication of most important records, and the proprietary government of Pennsylvania, participated in that feeling, so that the proceedings of the colonial councils, were in a great measure considered as state secrets, and accessible but to few. Before the revolution, their publication could not have been permitted.

In the infancy of the Colony, when printing presses were few, and the expense of printing too great to be borne by our small and dispersed population, even the daily proceedings of the legislative body remained in manuscript for the space of seventy years. It was not until the year 1752, that the legislature determined on publishing their journals; beginning with those of the first assembly, which met at Upland, now Chester, Delaware county, in the year 1682. It was a bold and an expensive project for that time, it was nevertheless undertaken; the old journals were printed, and the publication continued until the period of the revolution. The whole, consisting of seven large folio volumes, is in our library at this place, and in many of the public and private libraries throughout the state, a monument of the zeal and patriotism of our ancestors.

Since the revolution, all important public documents, have been regularly published under the authority of the legislature, and the copies have been multiplied through a great number of newspapers, so that the facts which are to be the materials of our future history, are beyond the reach of any accident, above contingency, and secure from the danger of being lost to posterity.

But those of the preceding period, are still exposed to the dangers of decay, removal, mutilation and destruction. If they should happen to be lost, through the neglect of the present generation, a stigma will rest upon us, which no lapse of time can efface. The nations of Europe are at this moment strongly impressed with the necessity of preserving their ancient records, by means of the press. The government of Great Britain have, at an immense expense, commenced the publication of theirs, beginning with Dooms-day book, a record of the time of William the Conqueror, and thence proceeding through the series of past ages. Thirty two volumes of this collection have already been published; sixteen of which are large thick folios, and no cost has been spared to ensure the accuracy of the text, and the beauty of the impression. With a commendable liberality, they have distributed numerous sets of this valuable collection, in America and Europe, in donations to public libraries, and learned societies, and amongst others, the American Philosophical Society, and the Library company of Philadelphia, have shared in that bounty. The latter institution has received the whole collection; and the former only part

of it, the remainder in England having been accidentally consumed by fire, so that it is to be begun anew. Other nations are following that example aided by Antiquarian societies, which are established in almost every large city of Europe.

The general government of the United States have not been behind hand, in adopting this mode of preserving the ancient records of our Union. They have re-published the journals of Congress under the confederation, and many other important documents; and they have permitted individuals to have access to their records, and to take copies of such papers, as, being of interest, may afford a profit to the editor who devotes his time and his labor to their publication.

Some of the individual states, and the state of Maryland in particular, have lately taken similar measures for discovering and publishing important documents, in which process they have found that a great number are irrecoverably lost. To avoid a like misfortune, your committee think it their duty to recommend the publication of the colonial records of Pennsylvania, which are in the custody of the Secretary of the Commonwealth. Of the importance and necessity of multiplying the copies of those valuable and curious papers, we are impressively admonished by the late fire at Washington—documents of inestimable price, both in a pecuniary and historical point of view, were, no doubt, by that event, entirely destroyed. The absence of duplicates by means of the press, renders the loss altogether irreparable.

The memorialists have very properly pointed out the minutes of the proprietary councils as those that deserve to be first attended to.—Your committee, therefore recommend, that they be immediately printed, under the direction of the Secretary of the Commonwealth. The publication of other documents may be postponed until it shall be known of what they principally consist.

The memorialists have mentioned the Indian treaties as next in importance. What are called “Indian treaties” are conferences between Indian chiefs deputed by their respective tribes, and the governors of the colony of Pennsylvania, in which their mutual interests are discussed and settled. Several of those are contained in the minutes of council, and need not be printed twice. Under the name of “Indian treaties” are also designated the deeds and conveyances of lands made by Indian chiefs or land owners, to the proprietors. Of these, the late Judge Smith has given a full abstract in the second volume of his edition of the laws of Pennsylvania. It will nevertheless be desirable that they should be published at large, as many titles to lands are derived from them, and they are moreover interesting in an historical point of view. But as the minutes of council are most important among our ancient records, your committee would recommend their publication in the first instance.

Your committee have not had time to inspect the public documents in the Secretary’s office with that care which they desired to bestow upon them, and which would have enabled them to give to the House a clear view of their contents.

It is their opinion that the Secretary should be directed to prepare a report on their contents, to be laid before the legislature at their next session, by means of which they will be best able to determine which of them deserve to be published, and to act thereon as their wisdom shall direct.

In accordance with these views, the committee beg leave to report the accompanying bill.

No. III.

Extract from the Act of April 4th, 1837, authorizing the printing of the Minutes of the Provincial Council.

SECTION 2. That the Minutes of the Council of the Proprietary Government, from the year one thousand six hundred and eighty, one, to one thousand seven hundred and seventeen, inclusive, which are deposited in the office of the Secretary of this Commonwealth, with a suitable index, and such introductory matter as may be deemed proper, be immediately printed, in the octavo form, under the direction of the said Secretary, to the number of one thousand copies: *Provided*, That the cost does not exceed three thousand dollars.

SECTION 3. That two hundred copies of the said Minutes, when printed, shall be placed in the hands of the Governor, to be by him distributed among learned societies and public libraries, in other states of this Union, at his discretion; that twenty copies shall be presented to the director of the Philadelphia Athenæum, twenty copies to the Historical society, to be by them deposited as they may think best for their preservation and safe keeping; one copy to each of the several Colleges within the Commonwealth, five copies to the Franklin library in the city of Philadelphia, and one copy deposited in each of the several Record offices in the Commonwealth, and one copy placed in the hands of the members of the present Legislature. five copies in the State library, and one copy in each of the public libraries of the state, five copies to the Historical society.

SECTION 4. That the Secretary of this Commonwealth shall prepare and report to the legislature at their next session a list of the Colonial documents deposited in his office, with his opinion as to those that are worthy of preservation by means of the press, and the probable expense of publishing the same.

SECTION 5. That the said Secretary of the Commonwealth shall cause the original charter of Pennsylvania, now in his office, to be framed, covered with glass, and placed in said office for the inspection of visitors, and that the expense thereof be paid out of any funds in the Treasury, not otherwise appropriated.

LEWIS DEWART.

Speaker of the House of Representatives.

J. R. BURDEN,

Speaker of the Senate.

APPROVED—The fourth day of April, A. D., eighteen hundred and thirty-seven.

JOS. RITNER.

No. IV.

Extract from the Act of April 14th, 1838, relative to the printing and distribution of the Colonial Records.

SECTION 7. That the Secretary of the Commonwealth be, and he is hereby authorized and required, to continue the printing of the Minutes of the Council of the Proprietary Government, down to the period of the Revolution, on the plan by him proposed in his report to the Legislature of the thirtieth of January last, and to include the other public records and documents therein mentioned, to be added as appendixes to each volume, to the number of fifteen hundred copies.

SECTION 8. That the Secretary be, and he is hereby authorized to purchase of the printer, for the use of the state, the five hundred copies of the first volume which he has printed over and above the one thousand copies directed by the act entitled "A supplement to the act entitled, an act to authorize the printing and distribution of the pamphlet laws in the German language, and for other purposes," passed Anno Domini, one thousand eight hundred and thirty-seven.

SECTION 9. That one thousand out of the fifteen hundred copies of the work directed to be printed and purchased, be disposed of by a subscription, to be opened at the several County Treasuries of the Commonwealth, at the price of one dollar and sixty cents per volume, the proceeds whereof shall be applied to the continuation of the work, and to the binding of the volumes.

SECTION 10. That one thousand one hundred and forty-six dollars and twenty-five cents be, and the same is hereby appropriated for purchasing the additional five hundred copies and carrying on the work, in addition to the appropriation of last year, until the proceeds of the subscription shall come into the Treasury.

SECTION 11. That the Secretary be, and he is hereby authorized to employ a clerk to aid him in the prosecution of the work, at a salary of eight hundred dollars per annum, to be charged on the Treasury, and to be paid to him from the time that he has begun to be so employed.

SECTION 12. That two hundred copies of said Minutes, when printed and bound, shall be placed in the hands of the Governor, to be by him distributed among learned societies and public libraries, in other states of this Union, at his discretion; that five copies shall be presented to the American Philosophical society, five to the Historical society, five to the Philadelphia library, two to the Philadelphia Athæneum, one copy to each of the several Colleges and public Libraries in the state, one to each of the members and clerks of the present and last legislature, and that five copies shall be deposited in the State Library, and one copy in each of the Record offices of the Commonwealth.

SECTION 13. That the third section of the supplement to the act entitled "An act to authorize the printing and distribution of the pamphlet laws in the German language, passed January twenty-third A. D., one thousand eight hundred and thirty-seven, and for other purposes," be and the same is hereby repealed.

No. V.

CHARTER

OF THE

PROVINCE OF PENNSYLVANIA.

CHARLES THE SECOND, BY THE GRACE OF GOD King of England, Scotland, France and Ireland, defender of the faith, &c., To all to whome these presents shall come GREETING. Whereas our Trustie and well beloved Subject, William Penn, Esquire, sonn and heire of Sir William Penn, deceased, out of a commendable desire to enlarge our English Empire, and promote such usefull comodities as may bee of benefitt to us and our Dominions, as alsoe to reduce the Savage Natives by gentle and iust manners to the love of civill Societic and Christian Religion hath humbley besought leave of vs to transport an ample colonie vnto a certaine Countrey hereinafter described in the partes of America not yet cultevated and planted. And hath likewise humbley besought our Royall majestie to give grant, and confirme all the said countrey with certaine priviledges and Jurisdiccons requisite for the good Government and sattle of the said Countrey and Colonie, to him and his heires forever. KNOW YEE, therefore, that wee, favouring the petition and good purpose of the said William Penn, and haveing regard to the memorie and meritts of his late father, in divers services, and perticularly to his conduct, courage and discretion vnder our dearest brother, James Duke of Yorke, in that signall battell and victorie, fought and obteyned against the Dutch fleete, comanded by the Heer Van Opdam, in the yeare One thousand six hundred sixtie five, in consideration thereof of our special grace, certaine knowledge and meere motion, Have given and granted, and by this our present Charter, for vs, our heires and successors, Doe give and grant unto the said William Penn, his heires and assignes all that tract or parte of land in America, with all the Islands therein conteyned, as the same is bounded on the East by Delaware River, from twelve miles distance, Northwarde of New Castle Towne unto the three and fortieth degree of Northern latitude if the said River doeth extend soe farre Northwards; But if the said River shall not extend soe farre Northward, then by the said River soe farr as it doth extend, and from the head of the said River the Easterne bounds are to bee determined by a meridian line, to bee drawn from the head of the said River vnto the said three and fortieth degree, the said lands to extend Westwards, five degrees in longitude, to bee computed from the said Easterne Bounds, and the said lands to bee bounded on the North, by the beginning of the three and fortieth degree of Northern latitude, and on the south, by a circle drawne at twelve miles, distance from New Castle Northwards, and Westwards vnto the begining of the fortieth degree of Northerne Latitude; and then by a streight line Westwards, to the limitt of Longitude above menconed. WEE DOE alsoe give and grant vnto

the said William Penn, his heires and assignes, the free and vndisturbed vse, and continuance in and passage into and out of all and singular Ports, harbours, Bayes, waters, rivers, Isles and Inletts, belonging vnto or leading to and from the Countrey, or Islands aforesaid; and all the soyle, lands, fields, woods, vnderwoods, mountaines, hills, fenns, Isles, Lakes, Rivers, waters, rivulets, Bays and Inletts, scituate or being within or belonging vnto the Limitts and Bounds aforesaid together with the fishing of all sortes of fish, whales, sturgeons, and all Royall and other fishes in the sea, bayes, Inletts, waters or Rivers, within the premises, and the fish therein taken, and alsoe all veines, mines and quarries, as well discovered as not discovered, of Gold, Silver, Gemms and pretious Stones, and all other whatsoever, stones, metalls, or of any other thing or matter whatsoever, found or to bee found within the Countrey, Isles, or Limitts aforesaid; and him the said William Penn, his heires and assignes, WEE DOE, by this our Royall Charter, for vs, our heires and successors, make, create and constitute the true and absolute proprietaries of the Countrey aforesaid, and of all other, the premises, saving alwayes to vs, our heires and successors, the faith and allegiance of the said William Penn, his heires and assignes, and of all other, the proprietaries tenants and Inhabitants that are, or shall be within the Territories and precincts aforesaid; and saving alsoe vnto vs, our heires and Successors, the Sevreignty of the aforesaid Countrey, TO HAVE, hold and possesse and enioy the said tract of Land, Countrey, Isles, Inletts and other the premises, vnto the said William Penn, his heires and assignes, to the only proper vse and behoofe of the said William Penn, his heirs and assignes forever. To bee holden of vs, our heires and Successors, Kings of England, as of our Castle of Windsor, in our County of Berks, in free and comon socage by fealty only for all services, and not in Capite or by Knights service, Yeelding and paying therefor to us, our heires and Successors, two Beaver Skins to bee delivered att our said Castle of Windsor, on the first day of January, in every yeare; and also the fifth parte of all Gold and silver Oare, which shall from time to time happen to bee found within the Limitts aforesaid, cleare of all charges, and of our further grace certaine knowledge and meere mocon, wee have thought fitt to Erect, and wee doe hereby Erect the aforesaid Countrey and Islands, into a province and Seigniorie, and doe call itt Pensilvania, and soe from henceforth wee will have itt called, and forasmuch as wee have hereby made, and ordeyned the aforesaid William Penn, his heires and assignes, the true and absolute Proprietaries of all the Lands and Dominions aforesaid. KNOW YEE therefore, that wee reposing special trust and confidence in the fidelitie, wisdom, Justice and provident circumspeccon of the said William Penn, for vs, our heires and successors, Doe grant free, full and absolute power, by vertue of these presents to him and his heirs, and to his and their Deputies, and Lieutenants, for the good and happy government of the said Countrey, to ordeyne, make, enact and vnder his and their Seales to publish any Lawes whatsoever, for the raising of money for the publick vse of the said province, or for any other end apperteyning either vnto the

publick state peace, or safety of the said Countrey, or vnto the private vtility of perticular persons, according vnto their best discretions, by and with the advice, assent and approbacon of the freemen of the said Countrey, or the greater parte of them, or of their Delegates or Deputies, whom for the Enacting of the said Lawes, when, and as often as need shall require. WEE WILL, that the said William Penn, and his heires shall assemble in such sort and forme as to him and them shall seeme best, and the same lawes duely to execute vnto, and upon all people within the said Countrey and limits thereof; and WEE doe likewise give and grant unto the said William Penn, and his heires, and to his and their Deputies and Lieutenants, such power and authoritie to appoint and establish any Judges, and Justices, magistrates and officers whatsoever, for what causes soever, for the probates of wills and for the granting of administracions within the precincts aforesaid, and with what power soever, and in such forme as to the said William Penn, or his heires, shall seeme most convenient. Alsoe to remitt, release, pardon and abolish, whether before Judgement or after, all crimes and offences, whatsoever comitted within the said Countrey, against the said Lawes. treason and wilfull and malicious murder onely excepted; and in those cases, to grant reprieves untill our pleasure may bee knowne therein, and to doe all and every other thing and things which vnto the compleate establishment of Justice vnto Courts and Tribunalls, formes of Judicature and manner of proceedings doe belong, altho' in these presents expresse mencion bee not made thereof; and by Judges by them delegated to award processe, hold pleas and determine in all the said Courts and Tribunalls, all accons, suits and causes whatsoever, as well criminall as civill, personall, reall and mixt, which Lawes soe as aforesaid, to bee published. Our pleasure is, and soe Wee enioyne require and comand shall bee most absolute and avaylable in law, and that all the Liege people and Subjects of vs, our heires and successors, doe observe and keepe the same inviolable in those partes, soe farr as they concerne them, vnder the paine therein expressed, or to bee expressed. Provided; Nevertheles, that the said Lawes bee consonant to reason, and bee not repugnant or contrarie, but as neere as conveniently may bee agreeable to the Lawes, statutes and rights of this our Kingdome of England, and saveing and reserving to vs, our heires and successors, the receiving, heareing and determining of the appeale and appeales, of all or any person or persons, of, in or belonging to the territories aforesaid, or touching any Judgement to bee there made or given.— And forasmuch as in the Government of soe great a Countrey, sudder accidents doe often happen, whereunto itt will bee necessarie to apply a remedie before the freeholders of the said Province, or their Delegates or Deputies can bee assembled to the making of Lawes, neither will itt be convenient that instantly vpon every such emergent occasion, soe greate a multitude should be called together. Therefore, for the better Government of the said Countrey, WEE WILL, and ordeyne, and by these presents for vs, our heires and successors, Doe grant vnto the said William Penn, and his heires, by themselves

or by their magistrates and officers, in that behalfe, duely to bee ordeyned as aforesaid, to make and constitute, fitt and wholesome ordinances from time to time within the said Countrey, to bee kept and observed as well for the preservacon of the peace, as for the better government of the people there inhabiting, and publickly to notifie the same, to all persons whome the same doeth or any way may concerne, which ordinances our will and pleasure is, shall be observed inviolably within the said Province, vnder paines therein to bee expressed, soe as the said ordinances bee consonant to reason and bee not repugnant nor contrary, but soe farre as conveniently may bee agreeable with the Lawes of our kingdome of England, and soe as the said ordinances be not extended in any sort to bind, charge or take away the right or interest of any person or persons, for or in their life, members, freehold, goods or Chattells; and our further will and pleasure is, that the Lawes for regulateing and governing of propertie, within the said Province, as well for the descent and enioymnt of lands, as likewise for the enioymnt and succession of goods and Chattells. and likewise as to felonies, shall bee and continue the same as shall bee for the time being, by the generall course of the Law in our Kingdome of England, vntill the said Lawes shall bee altered by the said William Penn, his heires or assignes, and by the freemen of the said Province, their Delegates or Deputies, or the greater part of them. And to the End the said William Penn, or heires, or other, the Planters, Owners or Inhabitants of the said Province, may not at any time hereafter, by misconstrucon of the powers aforesaid, through inadvertiencie or designe, depart from that faith and due allegiance which by the Lawes of this our Realme of England, they and all our subiects; in our Dominions and Territories, always owe vnto vs, our heires and successors, by colour of any extent or largenesse of powers hereby given, or pretended to bee given, or by force or colour of any lawes hereafter to bee made in the said Province, by virtue of any such powers. Our further will and pleasure is, that a transcript or Duplicate of all lawes which shall bee soe as aforesaid, made and published within the said province, shall within five yeares after the making thereof, be transmitted and delivered to the privy Councell, for the time being, of vs, our heires and successors; and if any of the said Lawes within the space of six moneths, after that they shall be soe transmitted and delivered, bee declared by vs, our heires and successors. in our or their privy Councell, inconsistent with the sovereignty or lawfull prerogative of vs, our heirs or successors, or contrary to the faith and allegiance due by the legall Government of this realme, from the said William Penn, or his heires, or of the Planters and Inhabitants of the said province: and that therevpon any of the said Lawes shall bee adiaged and declared to bee void by vs, our heires or successors, vnder our or their Privy Seale, that then, and from thenceforth such Lawes concerning which such Judgement and declaracon shall bee made, shall become voyd, otherwise the said lawes soe transmitted, shall remaine and stand in full force according to the true intent and meaneing thereof. Furthermore, that

that this new Colony may the more happily increase, by the multitude of people resorting thither: THEREFORE, WEE, for vs, our heires and successors, doe give and grant by these presents, power licence and libertie vnto all the liege people and subjects, both present and future of vs, our heires and successors, excepting those who shall bee especially forbidden, to transport themselves and families vnto the said Countrey, with such convenient shipping, as by the lawes of this, our kingdome of England, they ought to vse with fitting provisions paying only the customes therefore due, and there to settle themselves, dwell and inhabitt and plant for the publick and their own private advantage; AND FURTHERMORE, that our subjects may bee the rather encouraged to undertake this expedicon with ready and cheerfull mindes. KNOW YEE, that wee of our especial grace certaine knowledge and meere mocon, Doe give and grant by vertue of these presents, as well vnto the said William Penn and his heires, as to all others who shall from time to time repaire vnto the said Countrey, with a purpose to inhabitt there, or to trade with the natives of the said Countrey, full license to lade and freight in any Ports whatsoever of vs, our heires and successors, according to the lawes made, or to be made within our kingdome of England, and into the said Countrey, by them, their servants or assignes, to transport all and singular their wares, goods and merchandizes, as likewise, all sorts of graine whatsoever, and all other things whatsoever necessary for food or cloathing, not phibited by the lawes and Statutes of our kingdomes and Dominions, to be carryed out of the said kingdomes without any lett or molestacon of vs, our heires and successors, or of any the officers of vs, our heires and successors, saveing alwayes to vs, our heires and successors, the legall impossitions, customes and other duties and payments for the said wares and merchandize, by any law or statute due or to be due to vs, our heires and successors. AND WEE DOE further for vs, our heires and Successors, give and grant vnto the said William Penn, his heires and assignes, free and absolute power to Divide the said Countrey, and Islands, into Townes, Hundreds and Counties, and to erect and incorporate Townes into Borroughs, and Borroughs into Citties, and to make and constitute ffaires and marketts therein, with all other convenient privileges and imunities according to the merit of the inhabitants, and the fittnes of the places; & to doe all and every other thing and things touching the premises which to him or them shall seeine requisite, and meet, albeit they be such as of their owne nature might otherwise require a more especiall comandment and warrant, then in these presents is expressed. WEE WILL ALSOE, and by these presents for vs, our heires and successors, WEE doe give and grant licence by this our charter, vnto the said William Penn, his heires and assignes, and to all inhabitants and dwellers in pvince aforesaid, both present, and to come to import or vnlade by themselves or their Servants, ffactors or assignes, all merchandizes and goods whatsoever, that shall arise of the fruites and comodities of the said province, either by Land or Sea, into any of the Ports of vs,

our heires and successors, in our kingdome of England, and not into any other countrey whatsoever. And WEE give him full power to dispose of the said goods in the said ports, and if need bee, within one yeare next after the unladeing of the same, to lade the said merchandizes and goods again into the same or other shippes, and to export the same into any other Countreys, either of our Dominions or florreigne. according to lawe: PROVIDED alwayes, that they pay such, customes and imposicons, subsidies and duties for the same to vs, our heires and successors, as the rest of our subjects of our kingdome of England, for the time being shall be bound to pay, and doe observe the acts of Navigation and other lawes in that behalfe made. AND FURTHERMORE, of our more ample and especiall grace, certain knowledge and meere motion, WEE DOE, for vs, our heires and successors, Grant vnto the said William Penn, his heires and assignes, full and absolute power and authoritie, to make, erect and constitute within the said province, and the Isles and Isletts aforesaid, such and soe many Seaports, harbours, Creeks, Havens, Keyes and other places, for discharge and vnladeing of goods, & merchandize out of the shippes, boates and other vessells, and Ladeing them in such and soe many places, and with such rights, Jurisdiccons, liberties and priviledges unto the said ports, belonging as to him or them, shall seeme most expedient, and that all and singuler the shippes, boates and other vessells, which shall come for merchandize and trade, vnto the said pvince, or out of the same shall depart, shall be laden or vnladen onely att such ports as shall be erected and constituted by the said William Penn, his heires and assignes, any vse, custome or other thing to the contrary notwithstanding: PROVIDED, that the said William Penn and his heires, and the Lieutenants and Governors for the time being, shall admitt and receive in and about all such ports, havens, Creeks and Keyes, all officers and their Deputies, who shall from time to time be appointed for that purpose, by the flarmers or Comissioners of our customes, for the time being. AND WEE DOE further appoint and ordaine, and by these presents for vs, our heires and successors, WEE DOE grant vnto the said William Penn, his heires and assignes, that he the said William Penn, his heires and assignes, may from time to time forever, have and enioy the customes and subsidies in the ports, harbours and other Creeks, and places aforesaid, within the pvince aforesaid, payable or due for merchandizes and wares, there to be laded and vnladed, the said customes and subsidies to be reasonably assessed, vpon any occasion by themselues, and the people there as aforesaid, to be assembled to whom WEE give power, by these presents for vs, our heires and successors, vpon iust cause, and in a due pporcon, to asseesse and impose the same, saveing vnto vs, our heires and successors, such imposcons and customes as by act of parliament are and shall be appointed; and it is our further will and pleasure, that the said William Penn, his heires and assignes, shall from time to time constitute and appoint an attorney or agent, to reside in or neare our City of London, who shall make knowne the place where he shall dwell or may be found, vnto the Clerks of Our privy Counsell, for the time

Being, or one of them, and shall be ready to appeare in any of our Courts att Westminster, to answer for any misdemeanors that shall be comitted, or by any wilfull default or neglect pmitted by the said William Penn, his heires or assignes, against our Lawes of Trade or Navigacon, and after it shall be ascertained in any of our said Courts, what damages WEE or our heires or successors shall haue sustained, by such default or neglect, the said William Penn, his heires and assignes, shall pay the same within one yeare after such taxacon and demand thereof, from such attorney, or in case there shall be noe such attorney, by the space of one yeare, or such attorney shall not make payment of such damages, within the space of one yeare, and answer such other forfeitures and penalties within the said time, as by the acts of parliament in England, are or shall be pvided. according to the true intent and meaning of these presents ; Then it shall be lawfule for vs, our heires and successors, to seize and Resume the government of the said pvince or Countrey, and the same to retaine untill payment shall be made thereof. But notwithstanding any such seizure or resumption of the Government, nothing concering the propriety or ownership of any Lands, Tenements or other hereditaments, or goods, or chattels of any the adventurers, Planters or owners, other then the respective offenders there, shall be any way affected or molested thereby : PROVIDED alwayes, and our will and pleasure is that neither the said William Penn, nor his heires, nor any other the inhabitants of the said pvince, shall at any time hereafter haue or maintain any correspondence with any other king, prince or State, or with any of their subjects, who shall then be in warr against vs, our heires or successors ; Nor shall the said William Penn, or his heires, or any other the inhabitants of the said pvince, make warre or doe any act of hostilitie against any other king, prince or state, or any of their subjects, who shall then be in league or amity with vs, our heires or successors. And because in soe remote a Countrey, and scituate neare many Barbarous Nations, the incursions as well of the savages themselves, as of other enemies, pirates and Robbers, may pbably be feared. Therefore, WEE have given and for vs, our heires and successors, Doe give power by these presents vnto the said William Penn, his heires and assignes, by themselves or their Captaines or other, their officers to levy, muster and traine all sorts of men. of what condicon, or wheresoever borne, in the said pvince of Pennsylvania, for the time being, and to make warr and pursue the enemies and Robbers aforesaid, as well by Sea as by Land, yea, even without the Limits of the said pvince, and by God's assistance, to vanquish and take them, and being taken, to put them to death by the law of Warr, or to save them att their pleasure, and to doe all and every other act and thing, which to the charge and office of a Captaine generall of an Army, belongeth or hath accustomed to belong, as fully and ffreely as any Captaine Generall of an Army, hath ever had the same. AND FURTHERMORE, of our especiall grace and of our certaine knowledg and meere motion, WEE have

given and granted, and by these presents for vs, our heires and successors, Doe give and grant vnto the said William Penn, his heires and assignes, full and absolute power, licence and authoritie, That he the said William Penn, his heires and Assignes, from time to time hereafter forever, att his or their will and pleasure, may assigne, alien, grant, demise or infeoffe of the premises, soe many, and such partes and parcells to him or them, that shall be willing to purchase the same, as they shall thinke fitt. **TO HAVE AND TO HOLD** to them, the said person and persons willing to take or purchase, their heires and assignes, in ffee simple or ffeetaile, or for the terme of life, or liues, or yeares, to be held of the said William Penn, his heires and assignes, as of the said Seigniorie of Windsor, by such services, customes and rents, as shall seeme fitt to the said William Penn, his heires and assignes, and not immediately of vs, our heires and successors, and to the same person or persons, and to all and every of them, **WEE DOE** give and grant by these presents, for vs, our heires and successors, Licence, authoritie and power, that such person or persons may take the premisses or any parcell thereof, of the aforesaid William Penn, his heires or assignes, and the same hold to them selues, their heires and assignes, in what estate of inheritance soever, in ffee simple, or in ffeetaile or otherwise, as to him the said William Penn, his heires and assignes, shall seem expedient. The Statutes made in the parliament of Edward. sonne of king Henry, late king of England. our predecessor, comonly called the Statute Quia Emptores terrarum, lately published in our kingdome of England, in any wise notwithstanding, and by these presents, **WEE** give and grant licence vnto the said William Penn, and his heires, likewise to all and every such person and persons to whom the said William Penn, or his heires, shall at any time hereafter, grant any estate of inheritance as aforesaid, to erect any parcells of Land within the pvince aforesaid, into mannors, by and with the licence to be first had and obteyned for that purpose, vnder the hand and seale of the said William Penn, or his heires, and in every of the said mannors, to haue and to hold a Court Baron, with all thinges whatsoever, which to a Court Baron do belong; and to haue and to hold view of frankpledge, for the conservacon of the peace, and the better government of those partes by themselves or their Stewarts, or by the Lords for the time being. of other mannors to be deputed when they shall be erected, and in the same, to vse all things belonging to view of frankpledge; and **WEE** doe further grant licence and authoritie that every such person and persons, who shall erect any such mannor or mannors as aforesaid. shall or may grant all or any parte of his said lands to any person or persons, in ffee simple or any other estate of inheritance. to be held of the said mannors respectively, soe as noe further tenures shall be created, but that vpon all further and other alienacons thereafter, to be made the said lands soe aliened, shall be held of the same Lord and his heires, of whom the alien did then before hold, and by the like, rents and services, which were before due and accustomed. And further, our pleasure is and by these

presents for vs, our heires and successors, WEE doe Covenant and grant to and with the said William Penn, and his heires and assignes, that WEE, our heires and successors, shall att no time hereafter sett or make, or cause to be sett, any imposicon, custome or other taxacon, rate or contribucon whatsoever, in and upon the dwellers and inhabitants of the aforesaid pvince, for their lands, tenements, goods or chattels, within the said province, or in and vpon any goods or merchandize within the said pvince, or to be laden or vnladen within the ports or harbours of the said pvince, vnles the same be with the consent of the pprietary, or chiefe Governor and Assembly, or by act of parliament in England. And our pleasure is, and for us our heires and successors, WEE charge and comand, that this our Declaracon, shall from henceforward be received, and allowed from time to time in all our Courts, and before all the Judges of vs, our heires and successors, for a sufficient and lawful discharge, payment and acquittance, comandng all and singular the officers and ministers of vs, our heires and successors, and enioyneing them vpon paine of our high displeasure, that they doe not presume att any time to attempt any thing to the contrary of the premises, or that they doe in any sort withstand the same, but that they bee att all times aiding and assisting as is fitting vnto the said William Penn, and his heires, and to the inhabitants and merchants of the pvince aforesaid, their servants, ministers, flactors and assignes, in the full vse and fruition of the benefitt of this our Charter: And our further pleasure is, And WEE doe hereby, for vs, our heires and successors, charge and require that if any of the inhabitants of the said pvince, to the number of Twenty, shall att any time hereafter be desirous, and shall by any writeing or by any pson deputed for them, signify such their desire to the Bishop of London, that any preacher or preachers to be approved of by the said Bishop, may be sent vnto them for their instruccon, that then such preacher or preachers, shall and may be and reside within the said pvince, without any Deniall or molestacon whatsoever; and if pchance it should happen hereafter, any doubts or questions should arise concerneing the true sence & meaning of any word, c'ause or sentence, conteyned in this our present charter, WEE WILL ordaine and comand, that att all times and in all things such interpretacon be made thereof, and allowed in any of our Courts whatsoever, as shall be adiudged most advantageous and favourable unto the said William Penn, his heires and assignes: PROVIDED alwayes, that no interpretacon be admitted thereof, by which the allegiance due vnto vs, our heires and successors, may suffer any preiudice or diminucon, although expres mencon be not made in these presents, of the true yearly value or certainty of the premisses, or of any parte thereof, or of other guifts and grants made by vs, our pgenitors or predecessors, vnto the said William Penn, or any Statute, act, ordinance, pvision, pclamacon or restraint heretofore, had made, published, ordained or pvided, or any other thing, cause or matter whatsoever to the contrary thereof, in any

wise notwithstanding. In Witness whereof WEE have caused these our letters to be made patents, Witness our selfe at Westminster, the fourth day of March, in the three and thirtieth yeare of our Reigne.

PIGOTT.

By Writt of privy Seale.

JOHN SHALER, chv^r.

xxvij die Janry, 1682, Fir.

CERTAIN CONDITIONS OR CONCESSIONS,

Agreed upon by William Penn, Proprietary and Governor of the Province of Pennsylvania and those who are the adventurers and purchasers in the same province the Eleventh of July, One thousand six hundred and eighty one.

First. That so soon as it pleaseth God that the above said persons arrive there, a quantity of land or Ground plat shall be laid out for a large Town or City in the most convenient place upon the River for health and navigaton; and every purchaser and adventurer shall by lot have so much land therein as will answer to the proportion which he hath bought or taken up upon rent, But it is to be noted that the surveyors shall consider what Roads or Highways will be necessary to the Cities, Towns, or through the lands. Great roads from City to City not to contain less than forty feet in breadth shall be first laid out and declared to be for highways before the Dividend of acres be laid out for the purchaser and the like observation to be had for the streets in the Towns and Cities, that there may be convenient roads and streets preserved not to be encroached upon by any planter or builder that none may build irregularly to the damage of another.— In this custom governs.

Secondly. That the land in the Town be laid out together after the proportion of ten thousand acres of the whole country, that is two hundred acres, if the place will bear it: However that the proportion be by lot and entire so as those that desire to be together, especially those that are by the catalogue laid together, may be so laid together both in the Town & Country.

Thirdly. That when the Country lots are laid out, every purchaser from one thousand to Ten thousand acres or more, not to have above One thousand acres together, unless in three years they plant a family upon every thousand acres; but that all such as purchase together, lie together; and if as many as comply with this Condition, that the whole be laid out together.

Fourthly. That where any number of purchasers, more or less, whose number of acres amounts to Five or ten thousand acres, desire to sit together in a lot or Township, they shall have their lot or Township cast together, in such places as have convenient Harbours or navigable rivers attending it, if such can be found, and in case any one or more Purchasers plant not according to agreement, in this concession to the prejudice of others of the same Township upon

complaint thereof, made to the Governor or his deputy, with assistance they may award (if they see cause) that the complaining purchaser may, paying the survey money, and purchase money, and Interest thereof, be entitled, inrolled and lawfully invested in the lands so not seated.

Fifthly. That the proportion of lands that shall be laid out in the first great Town or City, for every purchaser, shall be, after the proportion of Ten acres, for every Five hundred acres purchased, if the place will allow it.

Sixthly. That notwithstanding there be no mention made in the several Deeds made to the purchasers, yet the said William Penn, does accord and declare, that all Rivers, Rivulets, Woods and Underwoods, Waters, Watercourses, Quarries, Mines and Minerals, (except mines Royal,) shall be freely and fully enjoyed and wholly by the purchasers into whose lot they fall.

Seventhly. That for every Fifty acres that shall be allotted to a servant, at the end of his service, his Quitrent shall be two shillings per annum, and the master or owner of the Servant, when he shall take up the other Fifty acres, his Quitrent shall be Four shillings by the year, or if the master of the servant, (by reason in the Indentures he is so obliged to do,) allot out to the Servant Fifty acres in his own Division, the said master shall have on demand allotted him from the Governor, the One hundred acres, at the chief rent of Six shillings per annum.

Eighthly. And for the encouragement of such as are ingenious, and willing to search out Gold and silver mines in this province, it is hereby agreed that they have liberty to bore and dig in any mans property, fully paying the damage done, and in case a Discovery should be made, that the discoverer have One Fifth, the owner of the soil (if not the Discoverer) a Tenth part, the Governor Two fifths, and the rest to the public Treasury, saving to the king the share reserved by patent.

Ninthly. In every hundred thousand acres, the Governor and Proprietary by lot reserveth Ten to himself, which shall lie but in one place.

Tenthly. That every man shall be bound to plant or man so much of his share of Land as shall be set out and surveyed within three years after it is so set out and surveyed, or else it shall be lawful for new comers to be settled thereupon, paying to them their survey money, and they go up higher for their shares.

Eleventhly. There shall be no buying and selling, be it with an Indian, or one among another of any Goods to be exported but what shall be performed in public market, when such place shall be set apart or erected, where they shall pass the public Stamp or Mark. If bad ware and prized as good, or deceitful in proportion or weight, to forfeit the value as if good, and full weight and proportion to the public Treasury of the Province, whether it be the merchandize of the Indian or that of the Planters.

Twelfthly. And forasmuch as it is usual with the planters to overreach the poor natives of the Country in Trade, by Goods not being good of the kind, or debased with mixtures, with which they are sensibly aggrieved, it is agreed, whatever is sold to the Indians, in consideration of their furs, shall be sold in the market place, and there suffer the test, whether good or bad; if good to pass; if not good, not to be sold for good, that the natives may not be abused nor provoked.

Thirteenthly. That no man shall by any ways or means, in word or deed, affront or wrong any Indian, but he shall incur the same penalty of the Law, as if he had committed it against his fellow planters; and if any Indian shall abuse, in Word or Deed, any planter of this province, that he shall not be his own Judge upon the Indian, but he shall make his complaint to the Governor of the province, or his Lieutenant or Deputy, or some inferior magistrate near him, who shall, to the utmost of his power, take care with the king of the said Indian, that all reasonable Satisfaction be made to the said injured planter.

Fourteenthly. That all differences between the Planters and the natives, shall also be ended by Twelve men, that is, by Six planters and Six natives, that so we may live friendly together as much as in us lieth, preventing all occasions of Heart burnings and mischief.

Fifteenthly. That the Indians shall have liberty to do all things relating to improvement of their Ground, and providing sustenance for the families, that any of the planters shall enjoy.

Sixteenthly. That the laws as to Slanders, Drunkenness, Swearing, Cursing, Pride in apparel, Trespasses, Distresses, Replevins, Weights and measures, shall be the same as in England, till altered by law in this province.

Seventeenthly. That all shall mark their hogs, sheep and other cattle, and what are not marked within three months after it is in their possession, be it young or old, it shall be forfeited to the Governor, that so people may be compelled to avoid the occasions of much strife between Planters.

Eighteenthly. That in clearing the ground, care be taken to leave One acre of trees for every five acres cleared, especially to preserve oak and mulberries, for silk and shipping.

Nineteenthly. That all ship masters shall give an account of their Countries, Names, Ships, Owners, Freights and Passengers, to an officer to be appointed for that purpose, which shall be registered within Two days after their arrival; and if they shall refuse so to do that then none presume to trade with them, upon forfeiture thereof; and that such masters be looked upon as having an evil intention to the province.

Twentiethly. That no person leave the Province without publication being made thereof in the market place, Three weeks before, and a certificate from some Justice of the peace, of his clearness with his

neighbours and those he has dealt withal, so far as such an assurance can be attained and given; and if any master of a ship shall contrary hereunto receive, and carry away any person that hath not given that public notice, the said master shall be liable to all debts owing by the said person, so secretly transported from the province. Lastly, that these are to be added to or corrected by and with the consent of the parties hereunto subscribed.

Scaled and delivered in the presence of

WILLIAM PENN.

William Boelham,
Harbert Springet,
Thomas Prudyard,

Humphry South,
Thomas Barker,
Samuel Jobson,
John Joseph Moore,
William Fowel,
Richard Davie,
Griffith Jones,
Hugh Lambe,
Thomas Farrinborough,
John Goodson.

Scaled and delivered in the presence of all the proprietors who have hereunto subscribed, except Thomas Farrinborough and John Goodson, in the presence of

Hugh Chamberlen,
R. Murray,
Harbert Springet,

No. VII.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania, in America: together with certain laws in England, by the Governor and divers freemen of the aforesaid Province. To be further explained and confirmed there by the first Provincial Council that shall be held, if they see meet.

THE PREFACE.

When the great and wise God had made the world, of all his creatures it pleased him to choose man his deputy to rule it; and to fit him for so great a charge and trust, he did not only qualify him with skill and power, but with integrity to use them justly. This native goodness was equally his honour and his happiness; and whilst he stood here, all went well; there was no need of coercive or compulsive means; the precept of divine love and truth in his bosom was the guide and keeper of his innocency. But lust prevailing against duty, made a lamentable breach upon it; and the law, that before had no power over him, took place upon him and his disobedient posterity, that such as would not live conformable to the holy law within, should fall under the reproof and correction of the just law without, in a judicial administration.

This the apostle teaches in divers of his epistles. The law (says he) was added because of transgression: In another place, knowing that the law was not made for the righteous man; but for the disobedient and ungodly, for sinners, for unholy and prophane, for murderers, for whoremongers, for them that defile themselves with mankind, and for menstealers, for liars, for perjured persons, &c.

But this is not all, he opens and carries the matter of government a little further: Let every soul be subject to the higher powers, for there is no power but of God. The powers that be are ordained of God: whosoever therefore resisteth the power, resisteth the ordinance of God. For rulers are not a terror to good works, but to Evil: wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same. —He is the minister of God to thee for good. —Wherefore ye must needs be subject, not only for wrath, but for conscience sake.

This settles the divine right of government beyond exception, and that for two ends: first, to terrify evil-doers; secondly, to cherish those that do well; which gives government a life beyond corruption, and makes it as durable in the world, as good men shall be. So that government seems to me a part of religion itself, a thing sacred in its institution and end. For if it does not directly remove the cause, it crushes the effects of evil, and is as such (tho' a lower yet) an emanation of the same Divine Power, that is both author and object of pure religion; the difference lying here, that the one is more free and mental, the other more corporal and compulsive in its operations: but that is only to evil-doers; government itself being otherwise as capable of kindness, goodness and charity, as a more private society. They weekly err, that think there is no other use of government than correction, which is the coarsest part of it: daily experience tells us, that the care and regulation of many other affairs more soft and daily necessary, make up much the greatest part of government; and which must have followed the peopling of the world, had Adam never fell, and will continue among men on earth under the highest attainments they may arrive at, by the coming of the blessed second Adam, the Lord from Heaven. Thus much of government in general, as to its rise and end.

For particular frames and models, it will become me to say little; and comparatively I will say nothing. My reasons are: first, that the age is too nice and difficult for it; there being nothing the wits of men are more busy and divided upon. 'Tis true, they seem to agree in the end, to wit, happiness; but in the means they differ, as to divine, so to this human felicity; and the cause is much the same, not always want of light and knowledge, but want of using them rightly. Men side with their passions against their reason, and their sinister interests have so strong a bias upon their minds, that they lean to them against the good of the things they know.

Secondly, I do not find a model in the world, that time, place, and some singular emergences have not necessarily altered; nor is it easy to frame a civil government, that shall serve all places alike.

Thirdly, I know what is said by the several admirers of monarchy, aristocracy and democracy, which are the rule of one, a few, and many, and are the three common ideas of government, when men discourse on that subject. But I choose to solve the controversy

with this small distinction, and it belongs to all three: any government is free to the people under it (whatever be the frame) where the laws rule, and the people are a party to those laws, and [more than this is tyranny, oligarchy, and confusion.

But lastly, when all is said, there is hardly one frame of government in the world so ill designed by its first founders, that in good hands would not do well enough; and story tells us, the best in ill ones can do nothing that is great or good; witness the Jewish and Roman states. Governments, like clocks, go from the motion men give them, and as governments are made and moved by men, so by them they are ruined too. Wherefore governments rather depend upon men, than men upon governments. Let men be good, and the government cannot be bad; if it be ill, they will cure it. But if men be bad, let the government be never so good, they will endeavour to warp and spoil it to their turn.

I know some say, let us have good laws, and no matter for the men that execute them: but let them consider, that though good laws do well, good men do better: for good laws may want good men, and be abolished or invaded by ill men; but good men will never want good laws, nor suffer ill ones. 'Tis true, good laws have some awe upon ill ministers, but that is where they have not power to escape or abolish them, and the people are generally wise and good: but a loose and depraved people (which is to the question) love laws and an administration like themselves. That therefore, which makes a good constitution, must keep it, viz: men of wisdom and virtue, qualities, that because they descend not with worldly inheritances, must be carefully propagated by a virtuous education of youth, for which after ages will owe more to the care and prudence of founders, and the successive magistracy, than to their parents for their private patrimonies.

These considerations of the weight of government, and the nice and various opinions about it, made it uneasy to me to think of publishing the ensuing frame and conditional laws, foreseeing both the censures they will meet with from men of differing humours and engagements, and the occasion they may give of discourse beyond my design.

But next to the power of necessity (which is a solicitor that will take no denial) this induced me to a compliance, that we have (with reverence to God, and good conscience to men) to the best of our skill, contrived and composed the FRAME and LAWS of this government, to the great end of all government, viz: to support power in reverence with the people, and to secure the people from the abuse of power; that they may be free by their just obedience, and the magistrates honourable for their just administration: for liberty without obedience is confusion, and obedience without liberty is slavery. To carry this evenness is partly owing to the constitution, and partly to the magistracy: where either of these fail, government will be subject to convulsions; but where both are wanting, it must be totally subverted: then where both meet, the government is like

to endure. Which I humbly pray and hope God will please to make the lot of this of Pennsylvania. Amen.

WILLIAM PENN.

THE FRAME.

TO ALL PEOPLE, to whom these presents shall come. WHEREAS king Charles the second, by his letters patents, under the great seal of England; for the consideration therein mentioned, hath been graciously pleased to give and grant unto me William Penn (by the name of William Penn, Esq. son and heir of Sir William Penn, deceased) and to my heirs and assigns forever, all that tract of land or province, called Pennsylvania, in America, with divers great powers, preheminences, royalties, jurisdictions, and authorities. necessary for the well-being and government thereof: NOW KNOW YE, that for the well-being and government of the said province, and for the encouragement of all the freemen and planters that may be therein concerned, in pursuance of the powers aforementioned, I the said William Penn have declared, granted, and confirmed, and by these presents, for me, my heirs and assigns, do declare, grant and confirm unto all the freemen, planters and adventurers, of, in and to the said province, these liberties, franchises. and properties, to be held, enjoyed and kept by the freemen, planters and inhabitants of the said province of Pennsylvania for ever.

Imprimis. That the government of this province shall, according to the powers of the patent, consist of the Governor and freemen of the said province, in form of a Provincial Council and General Assembly, by whom all laws shall be made, officers chosen, and publick affairs transacted. as is hereafter respectively declared. That is to say,

Second. That the freemen of the said province shall, on the twentieth day of the twelfth month, which shall be in this present year, one thousand six hundred eighty and two, meet and assemble in some fit place, of which timely notice shall be before hand given. by the governor or his deputy, and then and there shall choose out of themselves seventy two persons of most note for their wisdom, virtue and ability, who shall meet on the tenth day of the first month next ensuing, and always be called and act as the Provincial Council of the said province.

Third. That at the first choice of such Provincial Council, one third part of the said Provincial Council shall be chosen to serve for three years next ensuing; one third part for two years then next ensuing, and one third part for one year then next following such election, and no longer; and that the said third part shall go out accordingly. And on the twentieth day of the twelfth month as

aforesaid, yearly for ever afterward, the freemen of the said province shall in like manner meet and assemble together, and then chuse twenty four persons, being one third of the said number, to serve in Provincial Council for three years. It being intended, that one third part of the whole Provincial Council (always consisting and to consist of seventy two persons, as aforesaid) falling off yearly, it shall be yearly supplied by such new yearly elections, as aforesaid; and that no one person shall continue therein longer than three years: and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

Fourth. That after the first seven years, every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole year following: that so all may be fitted for government, and have experience of the care and burden of it.

Fifth. That the Provincial Council in all cases of matters of moment, as their arguing upon bills to be past into laws, erecting courts of justice, giving judgment upon criminals impeached, and choice of officers, in such manner as is herein after mentioned; not less than two thirds of the whole Provincial Council shall make a quorum; and that the consent and approbation of two thirds of such quorum shall be had in all such cases and matters of moment. And moreover, that in all cases and matters of lesser moment, twenty-four members of the said Provincial Council shall make a quorum, the majority of which twenty four shall and may always determine in such cases and causes of lesser moment.

Sixth. That in this Provincial Council the governor or his deputy shall or may always preside, and have a treble voice; and the said Provincial Council shall always continue, and sit upon its own adjournments and committees.

Seventh. That the governor and Provincial Council shall prepare and propose to the General Assembly hereafter mentioned, all bills, which they shall at any time think fit to be passed into laws within the said province; which bills shall be published and affixed to the most noted places in the inhabited parts thereof thirty days before the meeting of the General Assembly, in order to the passing them into laws, or rejecting of them, as the General Assembly shall see meet.

Eighth. That the governor and Provincial Council shall take care that all laws, statutes and ordinances, which shall at any time be made within the said province, be duly and diligently executed.

Ninth. That the governor and Provincial Council shall at all times have the care of the peace and safety of the province, and that nothing be by any person attempted to the subversion of this frame of government.

Tenth. That the governor and Provincial Council shall at all times settle and order the situation of all cities, ports and market

towns in every county, modelling therein all public buildings, streets, and market places, and shall appoint all necessary roads and highways in the province.

Eleventh. That the governor and Provincial Council shall at all times have power to inspect the management of the publick treasury, and punish those who shall convert any part thereof to any other use, than what hath been agreed upon by the governor, Provincial Council and General Assembly.

Twelfth. That the governor and Provincial Council shall erect and order all publick schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province.

Thirteenth. That for the better management of the powers and trust aforesaid, the Provincial Council shall from time to time divide itself into four distinct and proper committees, for the more easy administration of the affairs of the province, which divides the seventy-two into four eighteens, every one of which eighteens shall consist of six out of each of the three orders or yearly elections, each of which shall have a distinct portion of business, as followeth: first, a committee of plantations, to situate and settle cities, ports, market-towns and high-ways, and to hear and decide all suits and controversies relating to plantations. Secondly, a committee of justice and safety, to secure the peace of the province, and punish the male-administration of those who subvert justice to the prejudice of the publick or private interest. Thirdly, a committee of trade and treasury, who shall regulate all trade and commerce according to law, encourage manufacture and country growth, and defray the publick charge of the province. And fourthly, a committee of manners, education, and arts, that all wicked and scandalous living may be prevented, and that youth may be successively trained up in virtue and useful knowledge and arts: the quorum of each of which committees being six, that is, two out of each of the three orders or yearly elections as aforesaid, making a constant and standing council of twenty-four, which will have the power of the Provincial Council, being the quorum of it, in all cases not excepted in the fifth article; and in the said committees and standing Council of the province, the governor or his deputy shall or may preside as aforesaid; and in the absence of the governor or his deputy, if no one is by either of them appointed, the said committees or Council, shall appoint a president for that time, and not otherwise; and what shall be resolved at such committees, shall be reported to the said Council of the province, and shall be by them resolved and confirmed before the same shall be put in execution; and that these respective committees shall not sit at one and the same time, except in cases of necessity.

Fourteenth. And to the end that all laws prepared by the governor and Provincial Council aforesaid, may yet have the more full concurrence of the freemen of the province, it is declared, granted, and confirmed, that at the time and place or places for the choice of

a Provincial Council as aforesaid, the said freemen shall yearly choose members to serve in General Assembly as their representatives, not exceeding two hundred persons, who shall yearly meet on the twentieth day of the second month, which shall be in the year one thousand six hundred eighty and three following, in the capital, town, or city of the said province, where during eight days the several members may freely confer with one another; and, if any of them see meet, with a committee of the Provincial Council (consisting of Three out of each of the four committees aforesaid, being twelve in all) which shall be at that time purposely appointed to receive from any of them proposals for the alteration or amendment of any of the said proposed and promulgated bills: and on the ninth day from their so meeting, the said General Assembly, after reading over the proposed bills by the clerk of the Provincial Council, and the occasion and motives for them being opened by the governor or his deputy, shall give their affirmative or negative, which to them seemeth best, in such manner as hereinafter is expressed. But not less than two thirds shall make a quorum in the passing of laws, and choice of such officers as are by them to be chosen.

Fifteenth. That the laws so prepared and proposed as aforesaid, that are assented to by the General Assembly, shall be enrolled as laws of the province, with this stile: *By the Governor, with the assent and approbation of the freemen in Provincial Council and General Assembly.*

Sixteenth. That for the better establishment of the Government and laws of this province, and to the end there may be an universal satisfaction in the laying of the fundamentals thereof; the General Assembly shall or may for the first year consist of all the freemen of and in the said province, and ever after it shall be yearly chosen, as aforesaid; which number of two hundred shall be enlarged as the country shall increase in people, so as it do not exceed five hundred at any time: the appointment and proportioning of which, as also the laying and methodizing of the choice of the Provincial Council and General Assembly in future times, most equally to the divisions of the hundreds and counties, which the country shall hereafter be divided into; shall be in the power of the Provincial Council to propose, and the General Assembly to resolve.

Seventeenth. That the governor and the Provincial Council shall erect, from time to time, standing courts of justice in such places and number as they shall judge convenient for the good government of the said province. And that the Provincial Council shall, on the thirteenth day of the first month yearly, elect and present to the governor or his deputy, a double number of persons to serve for judges, treasurers, master of rolls, within the said province for the year next ensuing; and the freemen of the said province in the county courts, when they shall be erected, and till then in the General Assembly shall, on the three and twentieth day of the second month yearly, elect and present to the governor or his deputy, a double number of persons to serve for sheriffs, justices of the

peace, and coroners, for the year next ensuing; out of which respective elections and presentments, the governor or his deputy shall nominate and commissionate the proper number for each office the third day after the said presentments; or else the first named in such presentment for each office, shall stand and serve for that office the year ensuing.

Eighteenth. But forasmuch as the present condition of the province requires some immediate settlement, and admits not of so quick a revolution of officers; and to the end the said province may with all convenient speed be well ordered and settled, I William Penn do therefore think fit, to nominate and appoint such persons for judges, treasurers, masters of the rolls, sheriffs, justices of the peace, and coroners, as are most fitly qualified for those employments; to whom I shall make and grant commissions for the said offices respectively; to hold to them to whom the same shall be granted, for so long time as every such person shall well behave himself in the office or place to him respectively granted, and no longer. And upon the decease or displacing of any of the said officers, the succeeding officer or officers shall be chosen as aforesaid.

Nineteenth. That the General Assembly shall continue so long as may be needful to impeach criminals fit to be there impeached; to pass bills into laws, that they shall think fit to pass into laws, and till such time as the governor and Provincial Council shall declare, that they have nothing further to propose unto them for their assent and approbation; and that declaration shall be a dismiss to the General Assembly for that time, which General Assembly shall be notwithstanding capable of assembling together, upon the summons of the Provincial Council, at any time during that year, if the said Provincial Council shall see occasion for their so assembling.

Twentieth. That all the elections of members or representatives of the people, to serve in Provincial Council and General Assembly, and all questions to be determinated by both or either of them, that relate to passing of bills into laws, to the choice of officers, to impeachments made by the General Assembly, and judgment of criminals upon such impeachments by the Provincial Council, and to all other cases by them respectively judged of importance, shall be resolved and determined by the ballot; and, unless on sudden and indispensable occasions, no business in Provincial Council, or its respective committees, shall be finally determined the same day that it is moved.

Twenty-first. That at all times, when and so often as it shall happen, that the Governor shall or may be an infant, under the age of one and twenty years, and no guardians or commissioners are appointed in writing by the father of the said infant, or that such guardians or commissioners shall be deceased; that during such minority, the Provincial Council shall, from time to time, as they shall see meet, constitute and appoint guardians or commissioners, not exceeding three; one of which three shall preside as deputy and

chief guardian, during such minority, and shall have and execute, with the consent of the other two, all the power of a governor, in all the public affairs and concerns of the said province.

Twenty-second. That as often as any day of the month, mentioned in any article of this charter, shall fall upon the first day of the week, commonly called the Lord's day, the business appointed for that day, shall be deferred till next day, unless in case of emergency.

Twenty-third. That no act, law or ordinance whatsoever, shall at any time hereafter be made or done, by the governor of this province, his heirs or assigns, or by the freemen in the Provincial Council or the General Assembly, to alter; change or diminish the form or effect of this charter, or any part or clause thereof, without the consent of the governor, his heirs or assigns, and six parts of seven of the said freemen in Provincial Council, and General Assembly.

And lastly. That I the said William Penn, for myself, my heirs, and assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things, whereby the liberties in this charter contained and expressed, shall be infringed or broken; and if any thing be procured by any person or persons contrary to these premises, it shall be held of no force or effect. In Witness whereof, I the said William Penn have unto this present charter of liberties, set my hand and broad seal, this five and twentieth day of the second month, vulgarly called April, in the year of our Lord, one thousand six hundred and eighty-two.

WILLIAM PENN.

LAWS AGREED UPON IN ENGLAND.

First. That the charter of liberties, declared, granted and confirmed, the five and twentieth day of the second month, called April, 1682, before divers witnesses by William Penn, governor and chief proprietary of Pennsylvania, to all the freemen and planters of the said province, is hereby declared and approved, and shall be for ever held for fundamental, in the government thereof, according to the limitations mentioned in the said charter.

Second. That every Inhabitant in the said province, that is or shall be a purchaser of one hundred acres of land or upwards, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land, at one penny an acre, and have cultivated ten acres thereof, and every person that hath been a servant or bondsman, and is free by his service, that shall have taken up his fifty acres of land, and cultivated twenty thereof, and every inhabitant, artificer, or other resident in the said province, that

pays scot and lot to the government, shall be deemed and accounted a freeman of the said province; and every such person shall and may be capable of electing or being elected representatives of the people in Provincial Council or General Assembly in the said province.

Third. That all elections of members or representatives of the people and freemen of the province of Pennsylvania, to serve in Provincial Council or General Assembly, to be held within the said province, shall be free and voluntary: and that the elector that shall receive any reward or gift, in meat, drink, monies or otherwise, shall forfeit his right to elect; and such person as shall, directly or indirectly, give, promise, or bestow any such reward as aforesaid, to be elected, shall forfeit his election, and be thereby incapable to serve as aforesaid. And the Provincial Council and General Assembly shall be the sole judges of the regularity or irregularity of the elections of their own respective members.

Fourth. That no money or goods shall be raised upon, or paid by any of the people of this province, by way of a publick tax, custom or contribution, but by a law for that purpose made; and whosoever shall levy, collect or pay any money or goods contrary thereunto, shall be held a publick enemy to the province, and a betrayer of the liberties of the people thereof.

Fifth. That all courts shall be open, and justice shall neither be sold denied or delayed.

Sixth. That in all courts all persons of all persuasions may freely appear in their own way, and according to their own manner, and there personally plead their own cause themselves, or if unable, by their friends. And the first process shall be the exhibition of the complaint in court, fourteen days before the trial; and that the party complained against may be fitted for the same, he or she shall be summoned no less than ten days before, and a copy of the complaint delivered him or her, at his or her dwelling house. But before the complaint of any person be received, he shall solemnly declare in court, that he believes in his conscience his cause is just.

Seventh. That all pleadings, processes and records in courts, shall be short, and in english, and in an ordinary and plain character, that they may be understood, and justice speedily administered.

Eighth. That all trials shall be by twelve men, and as near as may be, peers or equals, and of the neighborhood, and men without just exception. In cases of life, there shall be first twenty-four returned by the sheriff for a grand inquest, of whom twelve at least shall find the complaint to be true; and then the twelve men, or peers, to be likewise returned by the sheriff, shall have the final judgment. But reasonable challenges shall be always admitted against the said twelve men or any of them.

Ninth. That all fees in all cases shall be moderate, and settled by the Provincial Council and General Assembly, and be hung up in a table in every respective court; and whosoever shall be convicted

of taking more, shall pay twofold, and be dismissed his employment, one moiety of which shall go to the party wronged.

Tenth. That all prisons shall be workhouses for felons, vagrants, and loose and idle persons; whereof one shall be in every county.

Eleventh. That all prisoners shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident, or the presumption great.

Twelfth. That all persons wrongfully imprisoned or prosecuted at law, shall have double damages against the informer or prosecutor.

Thirteenth. That all prisons shall be free, as to fees, food, and lodging.

Fourteenth. That all lands and goods shall be liable to pay debts, except where there is legal issue, and then all the goods, and one third of the land only.

Fifteenth. That all wills and writing attested by two witnesses, shall be of the same force, as to lands as other conveyances, being legally proved within forty days, either within or without the said province.

Sixteenth. That seven years quiet possession shall give an unquestionable right, except in cases of infants, lunaticks, married women, or persons beyond the seas.

Seventeenth. That all briberies and extortions whatsoever, shall be severely punished.

Eighteenth. That all fines shall be moderate, and saving mens contentements, merchandize or wainage.

Nineteenth. That all marriages (not forbidden by the law of God, as to nearness of blood and affinity by marriage) shall be encouraged; but the parents or guardians shall be first consulted, and the marriage shall be published before it be solemnized, and it shall be solemnized by taking one another as husband and wife, before credible witnesses, and a certificate of the whole, under the hands of parties and witnesses, shall be brought to the proper register of that county, and shall be registered in his office.

Twentieth. And to prevent frauds and vexatious suits within the said province, that all charters, gifts, grants, and conveyances of land, (except leases for a year or under) and all bills, bonds, and specialties have five pounds, and not under three months, made in the said province, shall be enrolled or registered in the publick enrolment office of the said province within the space of two months next after the making thereof, else to be void in law. And all deeds, grants, and conveyances of land (except as aforesaid) within the said province, and made out of the said province, shall be inrolled or registered as aforesaid, within six months next after the making thereof, and settling and constituting an enrolment office or registry within the said province, else to be void in law against all persons whatsoever.

Twenty-first. That all defacers or corruptors of charters, gifts, grants, bonds, bills, wills, contracts and conveyances, or that shall deface or falsify any enrolment, registry or record within this province, shall make double satisfaction for the same; half whereof shall go the party wronged, and they shall be dismissed of all places of trust, and be publickly disgraced as false men.

Twenty-second. That there shall be a register for births, marriages, burials, wills, and letters of administration, distinct from the other registry.

Twenty-third. That there shall be a register for all servants, where their names, time, wages, and days of payment, shall be registered.

Twenty-fourth. That all lands and goods of felons shall be liable to make satisfaction to the party wronged twice the value: and for want of lands or goods, the felons shall be bond-men to work in the common prison or work-house, or otherwise, till the party injured be satisfied.

Twenty-fifth. That the estates of capital offenders, as traitors and murderers, shall go one third to the next of kin to the sufferer, and the remainder to the next of kin to the criminal.

Twenty-sixth. That all witnesses, coming or called to testify their knowledge in or to any matter or thing in any court, or before any lawful authority within the said province, shall there give or deliver in their evidence or testimony, by solemnly promising to speak the truth, the whole truth, and nothing but the truth, to the matter or thing in question. And in case any person so called to evidence, shall be convicted of wilful falsehood, such person shall suffer and undergo such damage or penalty, as the person or persons against whom he or she bore false witness, did or should undergo; and shall also make satisfaction to the party wronged, and be publickly exposed as a false witness, never to be credited in any court, or before any magistrate, in the said province.

Twenty-seventh. And to the end that all officers chosen to serve within this province, may with more care and diligence answer the trust reposed in them, it is agreed, that no such person shall enjoy more than one publick office at one time.

Twenty-eighth. That all children within this province of the age of twelve years, shall be taught some useful trade or skill, to the end none may be idle, but the poor may work to live, and the rich, if they become poor, may not want.

Twenty-ninth. That servants be not kept longer than their time, and such as are careful, be both justly and kindly used in their service, and put in fitting equipage at the expiration thereof, according to custom.

Thirtieth. That all scandalous and malicious reporters, backbiters, defamers and spreaders of false news, whether against magistrates or private persons, shall be accordingly severely punished, as enemies to the peace and concord of this province.

Thirty-first. That for the encouragement of the planters and traders in this province, who are incorporated into a society, the patent granted to them by William Penn, Governor of the said province, is hereby ratified and confirmed.

Thirty-second.

* * * * *

Thirty-third. That all factors or correspondents in the said province wronging their employers, shall make satisfaction, and one third over, to their said employers: and in case of the death of any such factor or correspondent, the committee of trade shall take care to secure so much of the deceased party's estate, as belongs to his said respective employers.

Thirty-fourth. That all treasurers, judges, masters of the rolls, sheriffs, justices of the peace, and other officers and persons whatsoever, relating to courts or trials of causes, or any other service in the government; and all members elected to serve in provincial Council and General Assembly, and all that have right to elect such members, shall be such as profess faith in Jesus Christ, and that are not convicted of ill fame, or unsober and dishonest conversation, and that are of one and twenty years of age at least; and that all such so qualified, shall be capable of the said several employments and privileges as aforesaid.

Thirty-fifth. That all persons living in this province, who confess and acknowledge the one almighty and eternal God, to be the creator, upholder and ruler of the world, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in no ways be molested or prejudiced for their religious persuasion or practice in matters of faith and worship, nor shall they be compelled at any time to frequent or maintain any religious worship, place or ministry whatever.

Thirty-sixth. That according to the good example of the primitive christians, and for the ease of the creation. every first day of the week, called the Lord's day, people shall abstain from their common daily labour, that they may the better dispose themselves to worship God according to their understandings.

Thirty-seventh. That as careless and corrupt administration of justice draws the wrath of God upon magistrates, so the wildness and looseness of the people provoke the indignation of God against a country: therefore, that all such offences against God, as swearing, cursing, lying, prophane talking, drunkenness, drinking of healths, obscene words, incest, sodomy, rapes, whoredom, fornication, and other uncleanness (not to be repeated.) All treasons, misprisions, murders, duels, felonies, seditions, maims, forcible entries, and other violences, to the persons and estates of the inhabitants within this province: all prizes, stage plays, cards, dice, may-games, masques, revels, bull-baitings, cock-fightings, bear baitings and the like, which excite the people to rudeness, cruelty, looseness and irreligion, shall be

respectively discouraged, and severely punished, according to the appointment of the governor and freemen in Provincial Council and General Assembly, as also all proceedings contrary to these laws, that are not here made expressly penal.

Thirty-eighth. That a copy of these laws shall be hung up in the Provincial Council, and in publick courts of justice, and that they shall be read yearly, at the opening of every Provincial Council and General Assembly, and courts of justice, and their assent shall be testified by their standing up, after the reading thereof.

Thirty-ninth. That there shall be at no time any alteration of any of these laws, without the consent of the governor, his heirs or assigns, and six parts of seven of the freemen, met in Provincial Council and General Assembly.

Fortieth. That all other matters and things not herein provided for, which shall and may concern the publick justice, peace or safety of the said province; and the raising and imposing taxes, customs, duties, or other charges whatsoever, shall be, and are hereby referred to the order, prudence and determination of the governor and freemen in Provincial Council and General Assembly, to be held from time to time in the said province.

Signed and sealed by the Governor and freemen aforesaid, the fifth day of the third month, called May, one thousand six hundred and eighty-two.

No. VIII.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania and Territories thereunto annexed in America, 1683.

To all persons to whom these presents may come: Whereas, king Charles the Second, by his letters patents, under the great Seal of England, bearing date the fourth day of March. in the thirty and third year of the king, for divers considerations therein mentioned, hath been graciously pleased to give and grant unto me, William Penn, (by the name of William Penn Esquire, son and heir of Sir William Penn, deceased,) and to my heirs and assigns for ever, all that tract of land or province called Pennsylvania, in America, with divers great powers, preheminencies, royalties, jurisdictions and authorities, necessary for the well being and government thereof. And whereas, the kings dearest brother James, duke of York and Albany, &c., by his deeds of feoffment under his hand and seal, duly perfected, bearing date the four and twentieth day of August, one thousand six hundred eighty and two, did grant unto me, my heirs and assigns, all that tract of land lying and being from twelve miles northward of Newcastle, upon Delaware river in America, to Cape Hinlopen upon the said river and bay of Delaware southward, together with

all royalties, franchises, duties, jurisdictions, liberties and privileges thereunto belonging.

NOW KNOW YE, That for the well being and good government of the said Province and territories thereunto annexed, and for the encouragement of all the freemen and planters that may be therein concerned in pursuance of the rights and powers aforementioned, I the said William Penn, have declared, granted and confirmed, and by these presents for me, my heirs and assigns, do declare, grant and confirm unto all the freemen, planters and adventurers, of, in and to the said province and territories thereof, these liberties, franchises and properties, so far as in me lieth, to be held, enjoyed and kept by the freemen, planters and adventurers of, and in the said Province of Pennsylvania and territories thereunto annexed forever.

Imprimis. That the government of this province and territories thereof, shall from time to time, according to the powers of the patent and deeds of seoffment aforesaid, consist of the Proprietary and Governor and freemen of the said Province and territories thereof, in form of provincial Council and General Assembly, which provincial Council shall consist of eighteen persons, being three out of each county, and which Assembly shall consist of thirty six persons, being six out of each county, men of most note for their virtue, wisdom and ability, by whom all laws shall be made, officers chosen and public affairs transacted, as is hereafter limited and declared.

Second. There being three persons already chosen for every respective county of this province and territories thereof, to serve in the provincial Council, one of them for three years; one for two years, and one for one year; and one of them to go off yearly in every county; that on the tenth day of the first month yearly for ever after, the freemen of the said province and territories thereof, shall meet together in the most convenient place in every county of this province and territories thereof, then and there to choose one person qualified as aforesaid in every county, being one third of the number to serve in provincial Council for three years; it being intended that one third of the whole provincial Council, consisting and to consist of eighteen persons, falling off yearly, it shall be yearly supplied with such yearly elections as aforesaid; and that one person shall not continue in longer than three years; and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

Third. That after the first seven years every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole year following; that so all that are capable and qualified as aforesaid, may be fitted for government and have a share of the care and burden of it.

Fourth. That the provincial Council in all cases and matters of moment, as their arguing upon bills to be passed into laws, or proceedings.

about erecting of courts of justice, sitting in judgment upon criminals impeached, and choice of officers in such manner as is herein after expressed, not less than two thirds of the whole shall make a quorum, and that the consent and approbation of two thirds of that quorum shall be had in all such cases or matters of moment: and that in all cases and matters of lesser moment, one third of the whole shall make a quorum the majority of which shall and may always determine in such cases and causes of lesser moment.

Fifth. That the Governor and provincial Council shall have the power of preparing and proposing to the Assembly hereafter mentioned, all bills which they shall see needful, and that shall at any time be past into laws, within the said province and territories thereof, which bills shall be published and affixed to the most noted place, in every county of this province and territories thereof, twenty days before the meeting of the Assembly in order to passing them into laws.

Sixth. That the Governor and provincial Council shall take care that all laws, statutes and ordinances, which shall at any time be made within the said province and territories be duly and diligently executed.

Seventh. That the Governor and provincial Council shall at all times have the care of the peace and safety of this province and territories thereof; and that nothing be by any person attempted to the subversion of this frame of government.

Eighth. That the Governor and provincial Council shall at all times settle and order the situation of all cities and market towns in every county, modelling therein all public buildings, streets and market places; and shall appoint all necessary roads and highways in this province and territories thereof.

Ninth. That the Governor and provincial Council shall at all times have power to inspect the management of the public treasury, and punish those who shall convert any part thereof to any other use than what hath been agreed upon by the Governor, provincial Council and Assembly.

Tenth. That the Governor and provincial Council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province and territories thereof.

Eleventh. That one third part of the provincial Council residing with the Governor from time to time, shall with the Governor have the care of the management of public affairs relating to the peace, justice, treasury and improvement of the province and territories and to the good education of youth, and sobriety of the manners of the inhabitants therein as aforesaid.

Twelfth. That the Governor or his Deputy shall always preside in the provincial Council, and that he shall at no time therein perform any public act of state, whatsoever, that shall or may relate unto the

justice, trade, treasury or safety of the province and territories afore said, but by and with the advice and consent of the provincial Council thereof.

Thirteenth. And to the end, that all bills prepared and agreed by the Governor and provincial Council as aforesaid, may yet have the more full concurrence of the freemen of the province and territories thereof, it is declared, granted and confirmed, that at the time and place in every county for the choice of one person, to serve in provincial Council as aforesaid, the respective Members thereof, at their said meeting, shall yearly choose out of themselves six persons of most note for virtue, wisdom and ability, to serve in Assembly as their representatives, who shall yearly meet on the tenth day of the third month, in the capital town or city of the said Province, unless the Governor and provincial Council shall think fit to appoint another place to meet in, where during eight days, the several members may confer freely with one another; and if any of them see meet, with a committee of the provincial Council, which shall be at that time purposely appointed, to receive from any of them proposals for the alterations or amendments of any of the said proposed and promulgated bills, and on the ninth day from their so meeting, the said Assembly after their reading over the proposed bills, by the Clerk of the provincial Council, and the occasions and motives for them being opened by the Governor or his Deputy, shall upon the question by him put, give their affirmative or negative, which to them seemeth best in such manner as is hereafter expressed: but not less than two thirds shall make a quorum in the passing of all bills into laws, and choice of such officers as are by them to be chosen.

Fourteenth. That the laws so prepared and proposed as aforesaid, that are assented to by the Assembly, shall be enrolled as laws of this province and territories thereof, with this stile: *By the Governor with the assent and approbation of the freemen in provincial Council and Assembly met*, and from henceforth the meetings, sessions, acts and proceedings of the Governor, provincial Council and Assembly, shall be stiled and called: *The meetings, sessions and proceedings of the General Assembly of the Province of Pennsylvania and the territories thereunto belonging*.

Fifteenth. And that the representatives of the people in provincial Council and Assembly, may in after ages bear some proportion with the increase and multiplying of the people, the number of such representatives of the people, may be from time increased and enlarged, so as at no time the number exceed seventy-two for the provincial Council, and two hundred for the Assembly; the appointment and proportion of which number, as also the laying and methodizing of the choice of such representatives in future time, most equally to the division of the country, or number of the inhabitants is left to the Governor and provincial Council to propose, and the Assembly to resolve, so that the order of proportion be strictly observed, both in the choice of the Council and the respective committees thereof, viz: one third to go off, and come in yearly.

Sixteenth. That from and after the death of this present Governor, the provincial Council shall, together with the succeeding Governor, erect from time standing courts of justice, in such places and number as they shall judge convenient, for the good government of the said province and territories thereof; and that the provincial Council shall, on the thirteenth day of the second month then next ensuing, elect and present to the Governor or his deputy, a double number of persons to serve for judges, treasurers, and master of the rolls, within the said province and territories, to continue so long as they shall well behave themselves in those capacities respectively; and the freemen of the said province in an Assembly met, on the thirteenth day of the third month, yearly shall elect and then present to the Governor or his deputy a double number of persons to serve for sheriffs, justices of the peace and coroners for the year next ensuing, out of which respective elections and presentments the Governor or his deputy shall nominate and commissionate the proper number for each office, the third day after the said respective presentments, or else the first named in such presentment, for each office as aforesaid shall stand and serve in that office the time before respectively limited, and in case of death or default, such vacancy shall be supplied by the Governor and provincial Council in manner aforesaid.

Seventeenth. That the Assembly shall continue so long as may be needful to impeach criminals, fit to be there impeached to pass such bills into laws as are proposed to them, which they shall think fit to pass into laws, and till such time as the Governor and provincial Council shall declare, that they have nothing further to propose unto them for their assent and approbation, and that declaration shall be a dismiss to the Assembly for that time, which Assembly shall be notwithstanding, capable of assembling together upon the summons of the Governor, and provincial Council, at any time during that year, if the Governor and provincial Council shall see occasion for their so assembling.

Eighteenth. That all the elections of members or representatives of the people, to serve in provincial Council and Assembly, and all questions to be determined by both or either of them, that relate to choice of officers and all, or any other personal matters, shall be resolved or determined by the *ballot*, and all things relating to the preparing and passing of bills into laws, shall be openly declared and resolved by the vote.

Nineteenth. That at all times when the proprietary and Governor shall happen to be an infant and under the age of one and twenty years, and no guardians or commissioners are appointed in writing, by the father of the said infant, or that such guardian shall be deceased, that during such minority, the provincial Council shall from time to time, as they shall see meet, constitute and appoint guardians and commissioners not exceeding three; one of which shall preside as deputy and chief guardian during such minority, and shall have and

execute with the consent of one of the other two, all the power of a Governor in all public affairs and concerns of the said province and territories thereof, according to charter; which said guardian so appointed, shall also have the care and oversight of the estate of the said minor and be yearly accountable and responsible for the same to the provincial Council, and the provincial Council to the minor when of age, or to the next heir, in case of the minors death, for the trust before expressed.

Twentieth. That as often as any days of the month mentioned in any article of this charter shall fall upon the first day of the week, commonly called the Lord's day, the business appointed for that day shall be deferred until the next day, unless in cases of emergency.

Twenty-first. And for the satisfaction and encouragement of all aliens, I do give and grant, that if any alien who is or shall be a purchaser, or who doth or shall inhabit in this province or territories thereof, shall decease at any time before he can well be naturalized, his right and interest therein shall notwithstanding descend to his wife and children, or other his relations be he testate or intestate, according to the laws of this province and territories thereof in such cases provided, in as free and ample manner to all intents and purposes as if the said alien had been naturalized.

Twenty-second. And that the inhabitants of this province and territories thereof, may be accommodated with such food and sustenance as God in his providence hath freely afforded. I do also further grant to the inhabitants of this province and territories thereof, liberty to fowl and hunt upon the lands they hold, and all other lands therein not inclosed; and to fish in all waters in the said lands, and in all rivers and rivulets, in and belonging to this province and territories thereof, with liberty to draw his or their fish on shore on any mans lands, so as it be not to the detriment or annoyance of the owner thereof, except such lands as do lie upon inland rivulets that are not boatable, on which are or may be hereafter erected into manors.

Twenty-third. And that all the inhabitants of this province and territories thereof, whether purchasers or others may have the last wordly pledge of my good and kind intentions to them and theirs, I do give, grant and confirm to all and every one of them, full and quiet possession of their respective lands, to which they have any lawful or equitable claim, saving only such rents and services for the same, as are or customarily ought to be reserved to me, my heirs or assigns.

Twenty-fourth. That no act, law or ordinance whatsoever, shall at any time hereafter be made or done by the proprietary and Governor of this province and territories thereunto belonging, his heirs or assigns, or by the freemen in provincial Council or Assembly, to alter, change or diminish the form or effect of this charter, or any part or clause thereof, contrary to the true intent and meaning thereof, without the consent of the proprietary and

Governor, his heirs or assigns, and six parts of seven of the said freemen in provincial Council and Assembly met.

And lastly. I the said William Penn, proprietary and Governor of the province of Pennsylvania and territories thereunto belonging, for me, my heirs and assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things whereby the liberties in this Charter contained and expressed, shall be infringed or broken, and if any thing be procured by any person or persons, contrary to these premises, it shall be held of no force or effect. In witness whereof, I, the said William Penn, at Philadelphia, in Pennsylvania, have unto this present charter of liberties, set my hand and broad seal, this second day of the second month, in the year of our Lord one thousand six hundred eighty and three, being the five and thirtieth year of the king and the third year of my government.

WILLIAM PENN.

This within charter, which we have distinctly heard read, and thankfully received, shall be by us inviolably kept, at Philadelphia, the second day of the second month, one thousand six hundred eighty and three.

The members of the Provincial Council present :

William Markham,
John Moll,
William Haige,
Christopher Taylor,
John Simcock,
William Clayton,
Francis Whitwell,
Thomas Holme,

William Clark,
William Biles,
James Harrison,
John Richardson,
Philip Thomas Lenmar,
Richard Ingelo, Cl. Coun.
Secr. Gov.

The members of the Assembly present :

Casparus Harman,
John Darby,
Benjamin Williams,
William Guest,
Valentine Hollingsworth,
James Boyden,
Bennony Bishop,
John Beazor,
John Harding,
Andrews Bringston,
Simon Irons,
John Wood,
John Curtis,
Daniel Brown,
William Fitcher,

Thomas Hassald,
John Hart,
Robert Hall,
Robert Bedwell,
William Simsmore,
Samuel Darke,
Robert Lucas,
James Williams,
John Blunston,
John Songhurst,
John Hill,
Nicholas Waln,
Thomas Fitzwater,
John Clows,
Luke Watson,

John Kipshaven,
Alexander Molestine,
Robert Bracy, Senior.
Thomas Bracy,
William Yardly,
John Hastings,
Robert Wade,

Joseph Phipps,
Dennis Rotchford,
John Brinklair,
Henry Bowman,
Cornelius Verhoofe.
John Southworth, Cl. S^{yned}.

Some of the inhabitants of Philadelphia present:

William Howell,
Edmund Warner,

Henry Lewis,
Samuel Miles.

No. IX.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania and the territories thereunto belonging, passed by Governor Markham, November 7, 1696.

Whereas, the late King Charles the Second, in the three and thirtieth year of his reign, by letters patent under the great seal of England, did for the considerations therein mentioned, grant unto William Penn, his heirs and assigns for ever, this colony, or tract of land, thereby erecting the same into a province called Pennsylvania, and constituting him the said William Penn, absolute proprietary thereof, vesting him, his deputies and lieutenants, with divers great powers, pre-eminencies, royalties, jurisdictions and authorities, necessary for the well-being and good government of the said province. And whereas, the late Duke of York and Albany, &c., for valuable considerations, did grant unto the said William Penn, his heirs and assigns, all that tract of land, which hath been cast or divided into three counties, now called Newcastle, Kent and Sussex, together with all royalties, franchises, duties, jurisdictions, liberties and privileges thereunto belonging; which last mentioned tract being intended as a beneficial and requisite addition to the territory of the said proprietary and Governor, at the request of the freemen of the said three counties, by their deputies in Assembly mett, with the representatives of the freemen of the said province at Chester, alias Upland, on the sixth day of the tenth month, 1682, did (with the advice and consent of the members of the said Assembly) enact, that the said three counties should be annexed to the province of Pennsylvania, as the proper territories thereof; and whereas, king William and the late queen Mary, over England, &c., by their letters patent and commission under the great seal of England, dated the twenty-first day of October, in the fourth year of their reign, having (for the reasons therein mentioned) taken the government of this said province and territories into their hands, and under their care and protection, did

think fit to constitute Benjamin Fletcher, Governor of New York, to be their Captain General and Governor in Chief over this province and country. And whereas, also the said king and queen, afterwards by their letters patent, under the great seal of England, dated the twentieth day of August, in the sixth year of their reign, have thought fit upon the humble application of the said William Penn, to restore them to the administration of the government of the said province and territories, and that so much of their said commission, as did constitute the said Benjamin Fletcher, their Captain General and Governor in Chief of the said province of Pennsylvania, country of Newcastle, and the territories and tracts of land depending thereupon, in America, together with all the powers and authorities thereby granted, for the ruling and governing their said province and country, should from the publication of the said last recited letters patent cease, determine and become void, and accordingly the same are hereby declared void; whereupon, the said William Penn, did commissionate his kinsman William Markham, Governor under him, with directions to act according to the known laws and usages of this government.

Now, forasmuch as the former frame of government, modelled by act of settlement and charter of liberties, is not deemed in all respects suitably accommodated to our present circumstances; therefore it is unanimously desired, that it may be enacted, And be it enacted by the Governor aforesaid, with the advice and consent of the representatives of the freemen of the said province and territories in Assembly met, and by the authority of the same, that this government shall from time to time consist of the Governor or his deputy or deputies, and the freemen of the said province and territories thereof, in form of a Council and Assembly; which Council and Assembly shall be men of most note for virtue, wisdom and ability; and shall from and after the tenth day of the first month next, consist of two persons out of each of the counties of this government, to serve as the peoples representatives in Council; and of four persons out of each of the said counties, to serve as their representatives in Assembly; for the electing of which representatives, it shall and may be lawful to, and for all the freemen of this province and territories aforesaid, to meet together on the tenth day of the first month yearly hereafter, in the most convenient and usual place for election, within the respective counties, then and there to choose their said representatives as aforesaid, who shall meet on the tenth day of the third month, yearly, in the capital town of the said province, unless the Governor and Council shall think fit to appoint another place.

And to the end, it may be known who those are in this province and territories, who ought to have right of or to be deemed freemen, to choose or be chosen to serve in Council and Assembly as aforesaid; Be it enacted by the authority aforesaid, That no inhabitant of this province or territories, shall have right of electing or being elected as aforesaid, unless they be free denizens of this

government, and are of the age of twenty one years or upwards, and have fifty acres of land, ten acres whereof being seated and cleared, or be otherwise worth fifty pounds lawful money, of this government clear estate, and have been resident within this government for the space of two years next before such election.

And whereas, divers persons within this government, cannot for conscience sake, take an oath upon any account whatsoever; Be it therefore enacted, by the authority aforesaid, That all and every such person and persons, being at any time hereafter required upon any lawful occasion to give evidence, or take an oath, in any case whatsoever, shall, instead of swearing, be permitted to make his or their solemn affirmation, attest or declaration, which shall be adjudged, and is hereby enacted and declared to be of the same force and effect to all intents and purposes whatsoever, as if they had taken an oath, and in case any such person or persons shall be lawfully convicted of having wilfully and corruptly affirmed or declared, any matter or thing, upon such solemn affirmation or attest, shall incur the same penalties and forfeitures, as by the laws and statutes of England are provided against persons convicted of wilful and corrupt perjury.

And be it further enacted by the authority aforesaid, That all persons who shall be hereafter, either elected to serve in Council and Assembly, or commissioned or appointed to be Judges, Justices, Masters of the Rolls, Sheriffs, Coroners, and all other officers of state and trust, within this government, who shall conscientiously scruple to take an oath, but when lawfully required, will make and subscribe the declaration and profession of their Christian belief, according to the late act of parliament, made in the first year of King William, and the late queen Mary, entitled, An act for exempting their majesties Protestant subjects, dissenting from the Church of England, from the penalty of certain laws, shall be adjudged, and are hereby declared to be qualified to act in their said respective offices and places, and thereupon, the several officers herein mentioned, shall instead of an oath, make their solemn affirmation or declaration, in manner and form following, that is to say:

The form of Judges and Justices, attest shall be in these words, viz:

Thou shalt solemnly promise that as Judge, or Justice, according to the Governors commission to thee directed, thou shalt do equal right to the poor and rich, to the best of thy knowledge and power, according to law, and after the usages and constitutions of this government, thou shalt not be of council of any matter or cause depending before thee, but shalt well and truly do thy office in every respect, according to the best of thy understanding.

The form of the attests to be taken by the Masters of the Rolls, Secretaries, Clerks and such like officers, shall be thus, viz:

Thou shalt well and faithfully execute the office of, &c., according to the best of the skill and knowledge; taking such fees only, as thou oughtest to receive by the laws of this government.

The form of the Sheriffs and Coroners attest, shall be in these words, viz :

Thou shalt solemnly promise, that thou wilt well and truly serve the King and Governor, in the office of the Sheriff, (or Coroner) of the county of &c., and preserve the King and Governors rights, as far forth as thou canst, or mayest; thou shalt truly serve and return, all the writs and precepts to the directed; thou shalt take no bailiff nor deputy, but such as thou wilt answer for; thou shalt receive no writs, except from such Judges and Justices who by the Laws of this government, have authority to issue and direct writs unto thee; and thou shalt diligently and truly do and accomplish all things appertaining to thy office, after the best of thy wit and power, both for the King and Governor's profit, and good of the inhabitants within the said county, taking such fees only as thou oughtest to take by the laws of this government and not otherwise.

The form of a Constable's attest shall be this, viz :

Thou shalt solemnly promise well and duly, according to the best of thy understanding, to execute the office of a Constable for the town (or county) of P., for this ensuing year, or until another be attested in thy room, or thou shalt be legally discharged thereof.

The form of the Grand Inquests attests shall be in these words, viz :

Thou shalt diligently enquire, and true presentment make of all such matters and things as shall be given thee in charge, or come to thy knowledge, touching this present service, the Kings counsel, thy fellows and thy own, thou shalt keep secret, and in all things thou shalt present the truth, and nothing but the truth, to the best of thy knowledge.

This being given to the Foremen, the rest of the Inquest shall be attested thus, by three at a time, viz :

The same attestation that your foreman hath taken on his part, you will well and truly keep on your parts.

The form of the attest to be given to the Traverse Jury, by four at a time, shall be thus, viz :

You solemnly promise that you will well and truly try the issue of traverse, between the Lord, the King, and A. B., whom you have in charge, according to your evidence.

In civil causes thus, viz :

You solemnly promise that you will well and truly try the issue between A. B. plaintiff, and C. D. defendant, according to your evidence.

Provided always, and it is hereby intended, that no person shall be by this act excused from swearing, who by the acts of parliament for trade and navigation, are or shall be required to take an oath.

And that elections may not be corruptly managed, on which the good of the government so much depends; Be it further enacted, by the authority aforesaid, That all elections of the said representatives shall be free and voluntary, and that the electors who shall receive any reward or gift for giving his vote, shall forfeit his right to elect for that year; and such person or persons, as shall give or promise any such reward to be elected, or that shall offer to serve for nothing, or for less wages than the law prescribes, shall be thereby rendered incapable to serve in Council or Assembly for that year; and the representatives so chosen, either for Council or Assembly, shall yield their attendance accordingly, and be the sole judges of the regularity or irregularity of the elections of their respective members; and if any person or persons, chosen to serve in Council or Assembly, shall be wilfully absent from the service, he or they are so chosen to attend, or be deceased, or rendered incapable then, and in all such cases, it shall be lawful for the Governor within ten days after knowledge of the same, to issue forth a writ to the Sheriff of the county, for which the said person or persons, were chosen, immediately to summons the freemen of the same to elect another member in the room of such absent, deceased, or incapable person or persons; and in case any Sheriff shall misbehave himself in the management of any of the said elections, he shall be punished accordingly, at the discretion of the Governour and Council, for the time being.

Be it further enacted, by the authority aforesaid, That every member now chosen, or hereafter to be chosen, by the freemen as aforesaid, to serve in Council, and the Speaker of the Assembly, shall be allowed five shillings by the day during his and their attendance; and every member of Assembly shall be allowed four shillings by the day, during his attendance on the service of the Assembly; and that every Member of Council and Assembly shall be allowed towards their travelling charges, after the rate of two pence each mile, both going to and coming from the place where the Council and Assembly is, or shall be held; all which sums shall be paid yearly out of the county levies, by the county receivers respectively.

And be it further enacted by the authority aforesaid, That the Governor or his Deputy shall always preside in the Council, and that he shall at no time perform any public act of state whatsoever, that shall or may relate unto the justice, treasury or trade of the province and territories, but by and with the advice and consent of the Council thereof, or major part of them that shall be present.

And be it further enacted, by the authority aforesaid, That all the Sheriffs and Clerks of the respective counties of the said province and territories, who are, or shall be commissioned, shall give good and sufficient security to the Governor, for answering the King and his people, in matters relating to the said offices respectively.

And be it further enacted, by the authority aforesaid, That the Council in all cases and matters of moment, as about erecting courts of justice, sitting in judgement upon persons impeached, and upon

bills and other matters, that may be from time to time presented by the Assembly; not less than two thirds shall make a quorum, and that the consent and approbation of the majority of that quorum, shall be had in all such cases and matters of moment, and that in cases of less moment, not less than one third of the whole shall make a quorum; the majority of which shall and may always determine in all such matters of lesser moment, as are not above specified; and in case the Governors power shall hereafter happen to be in the Council, a President shall then be chosen out of themselves, by two thirds or the major part of them, which President shall therein preside.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall take care that all the laws, statutes and ordinances, which shall at any time be made within the said province and territories, be duly and diligently executed.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall at all times have the care of the peace of this province and territories thereof, and that nothing be by any persons attempted to the subversion of this frame of government.

And be it further enacted by the authority aforesaid, That the Governor and Council, for the time being shall at all times settle and order the situation of all cities and market towns, modelling therein all public buildings, streets and market places; and shall appoint all public landing places of the towns of this province and territories; and if any mans property shall be judged by the Governor and Council, to be commodious for such landing place in the said towns, and that the same be by them appointed as such, that the owner shall have such reasonable satisfaction given him for the same, as the Governor and Council shall see meet, to be paid by the said respective towns.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall at all times have power to inspect the management of the public treasury, and punish those who shall convert any part thereof to any other use than what hath been agreed upon by the Governor, Council and Assembly.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall erect, and order all public houses, and encourage and reward the authors of useful sciences and laudable inventions in the said province and territories thereof.

And be it further enacted, by the authority aforesaid, That the Governor and Council shall from time to time have the care of the management of all public affairs, relating to the peace, safety, justice, treasury, trade and improvement of the province and territories, and to the good education of youth, and sobriety of the manners of the inhabitants therein, as aforesaid.

And be it further enacted by the authority aforesaid, That the representatives of the freemen, when met in Assembly, shall have power to prepare and propose to the Governor and Council, all such bills

as they or the major part of them shall at any time see needful to be passed into laws, within the said province and territories.

Provided always that nothing herein contained shall debar the Governor and Council from recommending to the Assembly, all such bills as they shall think fit to be passed into laws; and that the Council and Assembly may, upon occasion, confer together in committees when desired; all which proposed and prepared bills, or such of them as the Governor with the advice of the Council shall in open Assembly declare his assent unto, shall be the laws of this province and territories thereof, and published accordingly with this stile: *By the Governor, with the assent and approbation of the freemen in General Assembly met*; a true transcript or duplicate whereof shall be transmitted to the kings privy council for the time being, according to the said late kings letters patent.

And be it further enacted, by the authority aforesaid, That the Assembly shall sit upon their own adjournments, and committees, and continue in order to prepare and propose bills, redress grievances, and impeach criminals, or such persons as they shall think fit to be there impeached, until the Governor and Council for the time being shall dismiss them; which Assembly shall notwithstanding such dismiss, be capable of assembling together upon the summons of the Governor and Council, at any time during that year; two thirds of which Assembly, in all cases, shall make a quorum.

And be it enacted, by the authority aforesaid, That all elections of representatives, for Council and Assembly, and all questions to be determined by them, shall be by the major part of votes.

Be it further enacted, by the authority aforesaid, That as oft as any days of the month mentioned in any article of this act, shall fall upon the first day of the week, commonly called the Lords day, the business appointed for that day, shall be deferred till the next day, unless in cases of emergency.

Be it further enacted, by the authority aforesaid, That if any alien, who is or shall be a purchaser of lands, or who doth, or shall inhabit in this province, or territories thereof, shall decease at any time before he can well be denizised, his right and interest therein shall, notwithstanding, descend to his wife and children, or other his relations, be he testate or intestate, according to the laws of this province and territories thereof, in such cases provided, in as free and ample manner, to all intents and purposes, as if the said alien had been denizised.

And that the people may be accommodated with such food and sustenance, as God in his providence hath freely afforded; Be it enacted, by the authority aforesaid, That the inhabitants of this province and territories thereof, shall have liberty to fish and hunt upon the lands they hold, or all other lands therein, not enclosed, and to fish in all waters in the said lands, and in all rivers and rivulets, in and belonging to this province and territories thereof, with liberty to draw his or their fish upon any mans land, so as it be not to the detriment or annoyance of the owner thereof, except such lands as do lie upon in-

land rivulets, that are not boatable, or which hereafter may be erected into manors.

Be it further enacted, by the authority aforesaid, That all inhabitants of this province and territories, whether purchasers or others, and every one of them shall have full and quiet enjoyment of their respective lands and tenements, to which they have any lawful or equitable claim, saving only such rents and services for the same, as are or customarily ought to be reserved to the lord or lords of the fee thereof respectively.

Be it further enacted, by the authority aforesaid, That no act, law, or ordinance whatsoever, shall at any time hereafter, be made or done by the Governor of this province and territories thereunto belonging, or by the freemen in Council or Assembly, to alter, change or diminish the form and effect of this act, or any part or clause thereof, contrary to the true intent and meaning thereof, without the consent of the Governor, for the time being; and six parts of seven of the said freemen in Council and Assembly met. This act to continue and be in force, until the said Proprietary shall signify his pleasure to the contrary, by some instrument under his hand and seal in that behalf.

Provided always, and it is hereby enacted, That neither this act, nor any other act or acts whatsoever, shall preclude or debar the inhabitants of this province and territories, from claiming, having and enjoying, any of the rights, privileges and immunities, which the said Proprietary for himself, his heirs and assigns, did formerly grant, or which of right belong unto them the said inhabitants by virtue of any law, charter or grants whatsoever, any thing herein contained to the contrary, notwithstanding.

The originals of the following named documents are not in the office of the Secretary of the Commonwealth, viz:

Certain conditions and concessions agreed upon by William Penn and the first adventurers and purchasers in Pennsylvania.

The Frame of the Government of the Province of Pennsylvania, together with certain laws agreed upon in England.

The Frame of Government granted in 1683.

The Frame of government passed by William Markham in 1696.

JOURNAL

OF THE
COUNCELL OF THE PROVINCE OF PENNSILVANIA,
AND
TERRITORIES THERE-UNTO BELONGING.

Att a councell held att Philadelphia the 10th of the first* Month,
1682-3.

PRESENT:

Wm. PENN, Proprietary and Governer of Pensilvania, and territories annexed.

Capt. Wm. Markham,	Wm. Haigee,	Edm ^d Canhoil,
Christo. Taylor,	Jno. Moll, -	Wm. Clayton,
Thomas Holmes,	Ralph Withers	Wm. Biles,
Lasse Cock	Jno. Simcox,	James Harison,
Wm. Clarke,	francis Whitwell,	Jno. Richardson.
Jno. Hilliard,		

Then the Sherifs of each County were called in, viz^t:

for the county of Philadelphia,	John Tost.
for the county of Chester,	Thomas Usher.
for the county of Bucks,	Richard Noble.
for the county of New Castle,	Edm ^d Canhoil.
for the county of Kent,	Peter Bawcomb.
for the county of Sussex,	John Vines.

The Governer ordered that one speak at a time, standing up, wth his face to the chair.

A debate being about the balloting box, the question was putt whether the Ballot should be used in all cases? Past in y^e negative.

The Question being putt whether they would have the ballot in all personall matters? resolved in the affirmative.

* By the 41st Chapter of the acts of the first General Assembly of Pennsylvania, passed December 7th, 1682, it will appear that the first settlers of this state began the year on the first of March. The following is an accurate copy of the chapter referred to:

And bee it Enacted by the Authority afores^d that y^e days of y^e week & y^e months of y^e year, Shall be called as in Scripture, & not by Heathen names, (as are vulgarly used,) as y^e first, Second & Third daies of y^e week, and first Second & Third months of y^e year, beginning with y^e day called Sunday, & y^e month called March.

The Question being putt whether all Bills should be past into the Laws by Vote, resolved in the affirmative.

The Returns of the Sherifs being read, wth the Petitions and Addresses of the freemen to the Governer, and finding therein that the People have amply vested their 12 Deligates out of each county wth power to act as the Provinciaall Councelours & Generall Assembly, and it being proposed to the elected members aforesaid if they were chosen to serve in both those capacities, they answered they were: That is to say, three of each Twelve for the Provinciaall Council, and the remaining Nine of each Twelve to constitute the Generall Assembly, according to the returnes.

After the reading of the Peturnes & Petitions, the Charter of Liberties was read.

W^{ch} requiring a greater number then was chose to serve in Provinciaall Council & Generall Assembly, yet left to be explained and confirmed by the Governer, his heirs and assigns, and the Freemen of this Province and Territories in Provinciaall Council and Assembly mett, the Deputies of the freemen in Prov^d Council and Assembly do think the reason alladged in the Sherifs Returnes & Petitions of the freemen for not Chuseing more than 12 to serve in Prov^d Council and General Assembly, are sufficient, and that the seventy two now chosen & returned have in them the Power of the whole Freemen of this Province and Territories thereunto belonging, and so capable of serving as a provinciaall council & Genrall Assembly. A member moving that the Govern^r may be desired that this alteration may not hinder y^e people from the benefit of this Charter, because it seems thereby to be returned to him again by not being accepted as largely as Granted. The Govern^r answered, they might amend, alter, or add for the Publick good, and that he was ready to Settle such Foundations as might be for their happiness and the good of their Posterities, according to y^e powers vested in him. The Numbers to be increased by the Govern^r & Council, Freemen in Prov^d Council and Assembly mett.

Vpon the whole matter the Assembly went to chuse a Speaker.
Adjourned till y^e 12th 1st Mo. 83.

Att a Council held at Philadelphia the 12th of y^e 1st Mo. 1683.

PRESENT:

WM. PENN, Prop^y & Govern^r of Pensilvania & Counties annexed.

Capt. Wm. Markham,	Jno. Moll,	Wm. Clarke,
Christo. Taylor,	Edm ^d Cantwell,	Fran. Whitwell,
Capt. Tho. Holmes,	Wm. Clayton,	Jno. Richardson,
Jno. Simcox,	Wm. Biles,	Jno. Hilliard,
Lasse Cock,	Jam. Harrison,	Ralph Withers.
Wm. Haigee,		

It being reported to the Govern^r & Council by several members of it, that Nicholas Moore, President to y^e society of free Traders in

his province, took occasion in company in a publick house, to utter those words ag^t the Proceedings of the Govern^r, Prov^l Council^l & Assembly, as that they have this day broken the Charter, & therefore all that you do will come to Nothing, & that hundreds in England will curse you for what you have done, & their children after them, and that you may hereafter be impeacht for Treason for what you do: Whereupon, the Govern^r and Council^l did order that Nicholas Moore should appeare before them. He accordingly did appeare, & being charg'd with such Discourse, said that he spoke rather by Query than assertion, and if he had said as it was represented, he had been too blame indeed, but he said that he spake not wth such an Intent: however, his Discourse being unreasonable and imprudent, he was exhorted to prevent the like for the future.

Adjourned till 13th 1st Mo., 83.

At a Council held att Philadelphia, y^e 13th of y^e 1st Mo. 1683.

PRESENT:

Wm. PENN, prop^y & Govern^r of Pennsylvania & County^s annexed.

Capt. Wm. Markham,	James Harrison,	John Simcox,
Capt. Thomas Holmes,	Jno: Halliard,	John Moll,
Wm. Clarke,	Wm. Clayton,	John Richardson,
Wm. Haige,	Wm. Biles,	Francis Whitwell,
Christo. Taylor,	Edm ^d Cantwell,	Lasse Cock,

Wm. Haige desiring leave to be absent this Day, it was granted him. Thomas Wynn, Speaker, accompanied wth Thomas Bracey & Wm. Yardley, members of y^e Assembly, came in y^e name of the whole Assembly, to desire a conference with y^e Govern^r, which the Governour and Council yields to.

The Result was Viz^t:

That Twelve makes a Quorum in all businesses relating to the former part of the fifth and Sixth articles of the Charter relating to the latter part of the same Article. That during the present infancy of things, that the business of four comittees in the 13th Article, be performed by the Council^l for the time being, in such way and manner as their numbers will give leave. Whereas, it is said in the 7th Article of the Charter, that the Govern^r and prov^l Council^l shall prepare & propose to the Gen^l Assembly all bills that they shall at any time think fitt to be past into Laws within y^e said province & Territories; It be added, provided they are not inconsistent with the powers granted by the King's Letters Patent's.

Adjourned till 14th 1st Mo., 83.

Att a Councill held at Philadelphia y^e 14th of y^e 1st Mo., 1682.

PRESENT:

WM. PENN, prop^ry and Govern^r of Pensilvania & countys annexed.
 Capt. Wm. Markham, Wm. Clayton, Fran. Whitwell,
 Capt. Thom: Holmes, Jno. Simcox, Jno. Moll,
 Christ: Taylor, Ralph Withers, Jno. Richardson,
 Jam: Harrison, Wm. Haige, Jno. Hilliard,
 Lasse Cock, Wm. Biles, Wm. Clarke.
 Edm^d Cantwell,

The Prov^l Councill resolved into a Grand Comittee, whilst y^e Gov^r retired vpon urgent business. Capt. Wm. Markham, Chairman: they rec^d & read sevrall petitions, but referred their answer to y^e Councill.

Adjourned till two of the Clock in the afternoon.

POST MERIDIEM.

A Peticon of Peter Isgoe and Abraham Mann read, was referred to the County Court.

The Peticon of Geo: Oldfield & his wife read and referred to the County Court, where the Land mencioned in the Pat: lyes.

The Peticon of Abraham Mann, John Test & Jno. Vines, Sherifs, about Establishment for their fees, was read, & Ordered that a Table of Fees should be forthwith established.

The Peticon of John Day read, and will be considered amongst other things.

The Peticon of the Inhabitants of Duck Creek, about the Cutting of the way through the Marsh for Vessels to pass, was referred to the County Court in which the same doth lye.

Adjourned till 15th 1st Mo., 83.

Att a Councill held att Philadelphia, y^e 15th of y^e 1st Mo., 1683.

PRESENT:

WM. PENN, Prop^ry & Govern^r of Pensilvania & Countys annexed.
 Capt. Wm. Markham, Jno. Simcox, Wm. Clark,
 Capt. Tho. Holmes, Jam: Harison, Jno. Moll,
 Capt. Edm^d Cantwell, Jno. Hilliard, Wm. Clayton,
 Ralph Withers, Jno. Richardson, Francis Whitwell.
 Christo. Taylor,

Ordered that John Richardson pay five shillings for being disordered in Drink, and be reprovved.

The Question being putt whether the Govern^r should have power to Secure himself, his heirs and Assigns, It was resolved in the Affirmative.

The Question being putt whether two of y^e members of this Councill should go to y^e house of Assembly to have a Conference about it, resolved in the affirmative.

A Conference was held wth the assembly & they withdrew to consider of it, and Returned this answer by the Speaker.

And John Cann that the Assembly have Nemine Contradicente agreed that all Laws Should be prepared & proposed by the Govern^r & Council.

Adjourned till three of the Clock in the afternoon.

POST MERIDIEM.

The Governour yet again offering that if they had any other Expedient yet to offer or propose, they might, though they had agreed to it in the morning, and after some considera^{ti}on it was putt to ye Question whether an Other Expedient could be found out more seaf to the Govern^r & people; past in the negative. It was resolved (none dissenting) that the words Jointly assenting should be added to that part of the bill relating to the article of the charter.

Thomas Pearce's Peticon concerning a Sloop he bought for the service of the Society was read, and his allegation not being proved, the matter fell.

Adjourned untill y^e 16th of y^e 1st Mo., 83.

At a Council held at Philadelphia y^e 16th of y^e 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop^{er}y and Govern^r of Pensilvania & Countys Annexed.

Capt. Wm. Markham,	Jno. Moll,	ffran. Whitwell,
Christo. Taylor,	Edm ^d Cantwell,	Jno. Hilliard,
Jam: Harrison,	Wm. Biles,	Jno. Richardson,
Wm. Clarke,	Wm. Clayton,	Wm. Haige,
John Simcox,	Ralph Withers,	Lasse Cock.

A Letter rec^d from Nicholas Moore, President of the Society, to ye Gov^r, Desiring that the Law ag^t Fornication might be explained not to extend to Serv^{ts}, because the present penalty would be to the Master & Mrs., wherefore prayed some severe punishment may be Enacted more consistent wth the Mr. & Mrs. Interest.

These Bills were prepared and drawn up to pass into Laws:

A Bill for planting flax and hemp.

A bill for building a house of Correction in each County, 24 foot by 16.

A bill to hinder the Selling of Serv^{ts} into other provinces, and to prevent Runaways.

A bill about Passes.

A bill about burning woods and Marshes.

A bill to have Cattell marked & to Erect Bounds.

A bill about Fencing.

Three Committees appointed to prepare bills for the Council.

MINUTES OF THE

Capt. Wm. Markham,
Jno. Simcox,
Wm. Clarke.

Francis Whitwell,
John Halliard,

The paper of Proposals from Kent County Comitted to them to putt into a Bill or bills.

James Harrison,
Christo: Taylor,

John Moll,
Ralph Withers,
Edmund Cantwell.

To whom it is referred to prepare bills about Prisons, Sowing of hemp and Flax, Runaways, Passes, Selling of Serv^{ts} into other provinces, for Destroying Wolves, To raise Money, & a bill for Hogg stealers.

Wm. Clayton,
Wm. Haige,

Wm. Biles,
Jno. Richardson,

Thomas Holmes,
Lasse Cock.

To whom is refered the burning of woods and Marshes, to have Chattell marked, To erect Bounds of ffences.

Adjourned till 17th 1 Mo., 1683.

At a Councill held at Philadelphia y^e 17th of y^e 1st Mo., 1683.

PRESENT:

WM. PENN, prop^{ry} and Govern^r of Pensilvania and Countys Annexed.

Capt. Wm. Markham,	Capt. Lasse Cock,	Jno. Moll,
Wm. Haige,	Fran. Whitwell,	Jam. Harison,
Wm. Biles,	Christ: Taylor,	Jno. Hilliard,
Wm. Clayton,	Jno. Simcox,	John Richardson.
Capt. Tho: Holmes,		

The Committees presented several bills to the Councill, and adjourned till Three of y^e Clock in the afternoon.

POST MERIDIEM.

The Speaker and the whole House of Assembly attended the Gov^r and Councill wth a Bill of Settlement, acquainting them that he was comanded by the whole house to let them know they had past the bill wth one Consent.

Adjourned till 19th of 1st Mo., 83.

At a Councill held at Philadelphia y^e 19th of 1st Mo., 1683.

PRESENT:

WM. PENN, prop^{ry} and Govern^r of Pensilvania & Countys annexed.

Capt. Wm. Markham,	Wm. Biles,	Jno. Richardson,
Capt. Tho. Holmes,	Wm. Clayton,	Wm. Clarke,
Jno. Simcox,	Fran. Whitwell,	Lasse Cock,
Jam. Harison,	Jno. Hilliard,	Jno. Moll.
Edm ^d Cantwell,	Wm. Haige,	

The Speaker with divers Members came, wth the bill of Settlement and divers amendments, w^{ch} were yielded to by the Govern^r & Council.

Several Bills relating to Carried by order of Council to the Assembly by Wm. Clarke and Francis Whitwell.

Several bills relating to carried by order of Council to y^e Assembly by Thomas Holmes & James Harrison.

The bill of Settlement being amended, was returned to this Council by two of the Members of y^e Assembly; namely, Robert Wade & Griffith Jones.

The Peticon of the Mariners belonging to the Friends Adventure, Concerning their wages, was read, & Ordered y^t they shall have a hearing to-morrow at three of y^e Clock in the afternoon.

Adjourned till four of y^e clock afternoon.

POST MERIDIEM.

Ordered that Wm. Clarke and John Moll, Compare the Fees of New York and Delaware, and make a report to this Council.

Ordered that Capt. Edm^d Cantwell and John Moll turn over the Duke's Laws, & give a Report proper for them to Consider on.

Adjourned till 20th 1st Mo., 83.

At a Council held at Philadelphia y^e 20th of 1st Mo., 1683.

PRESENT :

WM. PENN, Prop^{ry} and Gov^r of Pensilvania & Countys annexed.

Tho. Holmes,	Jno. Richardson,	Fran. Whitwell,
Jno. Moll,	Wm. Haige,	Lasse Cock,
Wm. Clayton,	Ja: Harrison,	Jno. Simcox,
Jno. Hilliard,	Edm ^d Cantwell,	Wm. Biles,
Wm. Ciarke,		

Adjourned till three of y^e Clock afternoon.

POST MERIDIEM.

The Speaker wth two of the members of the Assembly; attended the Gov^r and Council wth several Bills that were sent up to them, after w^{ch} the Gov^r & Council desired a Conference with the whole House & Freeman, about the Charter, and then the Question being asked by the Gov^r whether they would have the old Charter or a new one, they unanimously desired there might be a new one, wth the amendm^t putt into a Law, w^{ch} is past.

The Peticon of Nathaniell Allen was read, shewing that he had sold a Serv^t to Henry Bowman, for Six hundred weight of beefe, wth y^e hide & Tallow, & Six pounds sterl., which y^e said Bowman delayed to pay y^e said Petitioner, shewing likewise that y^e said Henry Bowman & Walter Humphrey, hired a boat of the s^d Petitioner only for one month, & kept y^e same boat 18 weeks from y^e petitioner, to his great prejudice; then it was ordered y^t Wm. Clarke, John Simcox & James Harrison, should speak to Henry Bowman concerning this matter.

MINUTES OF THE

The Petieon of Jno. James, Timothy Metcalf & Tho. Lincey, Mariners, belonging to the Friends Adventure, was read, shewing that the Mr. of said ship deny'd to pay them their wages, being demanded according to contract made with them in England.

Ordered that John Tost, high Sherife of this County, bring the said Petieoners before the Gov^r and Councill to-morrow at Eight of y^e Clock in the morning.

Adjourned till 21st 1st Mo., 83.

Att a Councill held at Philadelphia y^e 21st of y^e 1st Mo., 1683.

PRESENT :

WM. PENN, propriet^y & Gov^r of Pensilvania & Counties annexed.

Jno. Simcox,	Jno. Hilliard,	Wm. Haige,
Jam: Harison,	Chris. Taylor,	Edm ^d Cantwell,
Capt. Tho. Holmes,	Wm. Biles,	Lasse Cock,
John Moll,	Fran. Whitwell,	Wm. Clarke.
Jno. Richardson,		

The Seamen belonging to y^e Friends Adventure, viz': Jno. James, Timothy Metcalf and Thomas Lincey, were brought before the Gov^r & Councill, & were ordered for a tryall before them.

The Petieon of Jno. James for himself & in behalf of y^e rest of y^e said Ships Comp^y being read, requesting y^t they might be putt in capacity to address to y^e Gov^r & Councill, It was ordered they shall have a hearing, & vpon the hearing, it was Ordered by the Gov^r & Councill, that the Seamen should bring vp the goods Left at Vppland to Philadelphia, & y^t then the Gov^r and Councill will take care to order that y^e said Seamen be paid their wages.

Whereas, Edward Southerin is returned to serve in P. Councill for Sussex County, & that he hath not yet made his appearance to pform that Service, It is ordered by the Gov^r & Councill that he give his attendance forthwth in Councill att Philadelphia.

Comittees for proposing several Bills :

Jno. Simcox,	Wm. Haige,
Wm. Clark,	Edm ^d Cantwell,

To whom it is referred to propose Bills concerning Rules of County Courts.

Bills of Exchange protested.

Possessions.

Publique affairs.

Sailors Wracks.

Act of Oblivion.

Scoulds.

Capt. Tho. Holmes,	Wm. Biles,
Wm. Clayton,	Jno. Richardson,

To whom it is referred to propose Bills Concerning:

To arrest Goods in case of Danger.

Limits of Courts in Crininal Causes.
 Justices of the Peace to Marry People.
 How farr Exec^{ts} and Adm^s are obliged to proceed, & how to pay.
 Publique houses to credit no Vnresident for above 20^s or else to loose it.
 Not to remove his Neighbour's Landmark.
 Punishm^t for those y^t shall presume to alter their Neighbours Eare
 or Brand Mark.

James Harrison, Christo. Taylor, Jno. Moll.
 Francis Whitwell, Jno. Hilliard,

To whom is referred to propose Bills for :
 Hogs to be Ringed.
 Coroners to be established in each County.
 Servants without Indentures to be judged w^t shall be allowed them
 att y^e Expiration of their times.
 How to bind any over to the Peace.
 Twice a year a Grand Jury.

Capt. Lasse Cock, desiring Leave of the Gov^r and Councill, to go
 about y^e Societies' business, Leave was granted him.
 Adjourned till four of y^e Clock in y^e afternoon.

POST MERIDIEM.

Griffith Jones and Thomas Fitchwater, came wth a written Mes-
 sage from the House of Assembly, Containing the thankful acknowl-
 edgm^t of y^e House to y^e Gov^r for his kind Speech to them yester-
 day, gratefully embracing his Offers, proposing what they desired
 might inserted in the Charter. The several Comittees appointed to
 meet at Several Places.

Adjourned till 22^d 1st Mo. 83.

Att a Councill held at Philadelphia y^e 22^d of y^e 1st Mo. 1683.

PRESENT :

Wm. PENN, prop^{ry} & Govern^r of Pensilvania and Countys an-
 nexed.

Capt. Wm. Markham,	Jno. Hilliard,	Edm ^d Cantwell,
Capt. Tho : Holmes,	Wm. Clayton,	Jno. Simcox,
Christo. Taylor,	Wm. Clarke,	Jno. Richardson,
Jam : Harison,	Wm. Haige,	Fran. Whitwell.
Wm. Biles,	Jno. Moll,	

The Several Comittees brought in their Bills to the Council to
 be considered of. Wm. Haige & Capt. Edm^d Cantwell desired Leave
 for some time to go about their business, w^{ch} was granted them.

Several Bills relating to several Matters, carried by John Moll and
 James Harrison to the Assembly, by Order of the Govern^r & Coun-
 cill.

Adjourned till 23^d 1st Mo. 1683.

At a Council held at Philadelphia y^e 23^d of y^e 1st Mo., 1683.

PRESENT:

Wm. PENN, Propriet^y and Govern^r of Pensilvania & Counties annexed.

Capt. Wm. Markham,	James Harison,	Wm. Clayton,
Capt. Tho: Holmes,	Wm. Haige,	Wm. Biles,
Christo: Taylor,	Jno. Moll,	Jno. Richardson,
Wm. Clarke,	Jno. Hilliard,	Jno. Simcox,
Fran: Whitwell,		

Several Bills relating to carried by Tho: Holmes to the Assembly, by ord^r of y^e Gov^r and Council.

The Law of Weights referred.

The Question was asked in Council whether Peace Makers should sitt once a month.

It was proposed what should be the punishm^t of Manslaughter.

Ordered that the Seal of Philadelphia be the Anchor;

of the County of Bucks a Tree and Vine;

of the County of Chester a Plow;

of the County of New Castle a Castle;

of the County of Kent three ears of Indian Corn;

of the County of Sussex one Wheat Sheaf.

Adjourned till 4 Clock in y^e Afternoon.

POST MERIDIEM.

Several Bills relating to sent by Order of the Govern^r & Council to y^e Assembly by Thomas Holmes and Wm. Clark.

Bills relating to Weights and Measures sent by Order of the Govern^r & Council to y^e Assembly by Wm. Clayton & Jno. Hilliard.

Adjourned till 24th 1st Mo., 1683.

At a Council held at Philadelphia y^e 24th of 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop^{er}y and Govern^r of Pensilvania and Countys Annexed.

Capt. Tho: Holmes,	Chr. Taylor,	Capt. Wm. Markham,
Wm. Haige,	Jam. Harrison,	Wm. Clarke,
Jno. Simcox,	Jno. Richardson,	Fran: Whitwell,
Jno. Hilliard,	Wm. Clayton,	Wm. Biles.
Jno. Moll,		

A Debate was held concerning Marriage, and Parents Disposing of Estates.

Wm. Haige desiring Leave, to go about the Societies' business, it was granted him.

Several Bills relating to carried by Order of Gov^r & Council to the Assembly by James Harrison and Christopher Taylor.

A Petieon of Jno. Tost for y^e paym^t of 120£ ster^l due from Griffith Jones being read, Ordered y^t James Harrison & Wm. Clarke this afternoon take up & make an end of the business.

A Petieon of Charles Pickering read.

Ordered he shall be heard the 26 Instant in y^e afternoon.

Several Bills ordered by the Govern^r & Council to be carried to the Assembly by Wm. Biles and Jno. Richardson.

Adjourned till 26th 1 Mo., 83.

At a Councill held at Philadelphia y^e 26th 1st 1683.

PRESENT:

WM. PENN, Prop^{ry} & Govern^r of Pensilvania and Countys Annexed.

Capt. Wm. Markham,	Wm. Clarke,	Jno. Hilliard,
Wm. Haige,	Capt. Tho. Holmes,	Jno. Moll,
Wm. Biles,	Jno. Simcox,	Jno. Richardson,
Wm. Clayton,	James Harison,	Francis Whitwell.
Chr. Taylor,		

Ordered in Councill that Jno. Moll, Wm. Haige, Wm. Clarke, be a Committee to bring their report to morrow morning of the Fees of Officers belonging to y^e Custom house.

Ordered in Councill that Wm. Biles, Francis Whitwell & James Harrison do consider of y^e Dutys and fees of Coroners, and make their Report To morrow morning.

The Speaker with Three Members, came to this house with Several Bills.

The Councill ordered a Conference to be had wth y^e whole house of Assembly concerning some amendments this afternoon.

A Conference held in Councill concerning the Petieon from the Assembly relating to Fishing, Fowling, Mines, Quarries, and Minerally.

Christopher Taylor & Jno. Moll ordered by Govern^r and Council to carry y^e old Laws to y^e Assembly for them to look over.

Adjourned till 27 1 Mo., 83.

Att a Councill held at Philadelphia y^e 27th 1st Mo., 1683.

PRESENT:

WM. PENN, Prop^{ry} and Govern^r of Pensilvania & Countys Annexed.

Capt Tho. Holmes,	Jno. Hilliard,	Wm. Biles,
Jno. Moll,	James Harrison,	Jno. Richardson,
Wm. Clarke,	Jno. Simcox,	Capt. Wm. Markham,
Wm. Haige,	Wm. Clayton,	Christo. Taylor.
Fan. Whitwell,		

John Moll and Thomas Holmes ordered by the Govern^r and Council to go to the Assembly to have a Conference about the Amendments.

Wm. Haige and James Whitwell ordered by the Govern^r and Council to carry several Bills to the Assembly relating to Mariners, and a bill to give every prov^l Councill Man 3^d p day, & each Assembly man 2^d 6^d p Day, &c.

Adjourned for two howers.

POST MERIDIEM.

The Governour and Council being sett, Capt. Wm. Markham desired leave to be absent a small time, w^{ch} was granted him.

It being putt to the Question whether the 19th Article should be Inserted in the Charter, was past in the negative.

It being putt to y^e Question whether those words in y^e 17th Article of y^e Charter: That after the Death of the present Govern^r the Gov^r & Councill should begin y^e said Article, It was Resolved in y^e affirmative.

It being proposed whether the Charter should be transcribed, It was resolved in the affirmative.

Ordered by the Govern^r and Councill that Thomas Holmes, Wm. Clark, John Moll, Jno. Simcox and Christopher Taylor, do consider the amendm^t of the Charter, and give a report concerning the same To-Morrow.

Adjourned till 28th 1st Mon., 83.

At a Councill held at Philadelphia y^e 28th 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop^ry & Govern^r of Pensilvania & Countys annexed.

Capt. Wm. Markham,	Jno. Hilliard,	Wm. Biles,
Capt. Tho. Holmes,	Wm. Haige,	Christo. Taylor,
Wm. Clark,	Jno. Simcox,	Fran. Whitwell,
James Harrison,	Jno. Moll,	Jno. Richardson.

The business of Charles Pickering & Walls, Seamen, was this Day heard before y^e Govern^r & Councill, & it was their opinion that y^e Seamen, excepting one of them, namely, John James, had done their duty.

Capt. Wm. Markham and Christopher Taylor ordered by Govern^r and Council to carry to y^e Assembly several Bills relating to.

Timothy Metcalf ordered to pay 5^s for being disordered in Drink.

The Speaker wth several other members, brought several bills to this board.

The Govern^r & Councill were pleased to inspect the fees.

& Adjourned till 29th 1 Mo., 83.

PROVINCIAL COUNCIL.

13

At a Council held at Philadelphia y^e 29th 1st Mo., 1683.

PRESENT:

WM. PENN, Prop^y and Govern^r of Pensilvania & Countys annexed
 Capt. Wm. Markham, Jno. Hilliard, Fran. Whitwell,
 James Harison, Jno. Simcox, Wm. Biles,
 Christo. Taylor, Wm. Clayton, Jno. Richardson,
 Wm. Clarke, Jno. Moll, Tho: Holmes.

James Harrison and Christo. Taylor ordered to go to the Assembly to have a Conference concerning the Bills of the fees of this province, &c.

A Conference is had viz^t:

All Ships and Vessells vnder 10 Tunns & those that belong to this River, to pay no fees.

The Question was proposed by the Govern^r whether Offices should continue for Life which are named by the Govern^r; Carried in the Negative.

Also whether the Govern^r that now is, shall chuse his officers during his life; Carried in the Affirmative.

The Question was putt whether the justices of the Peace, Sherifs, & Constables, should be appointed by the Govern^r durement his life; Carried in the Affirmative.

The Question was putt whether the Govern^r should chuse officers during his Life, and afterwards according to Charter; Carried in the Affirmative.

The Question was whether there should be a Comittee to draw up the Charter with amendments; past in the affirmative.

The Comittee of the Council, out of each County one:

John Moll, New Castle County,
 Fran. Whitwell, Kent County,
 Wm. Clarke, Sussex County,
 Jam: Harrison, Bucks County,
 Wm. Clayton, Chester County,
 Tho. Holmes, Philadelphia County.

The Comittee of the Assembly:

James Walliams, New Castle.	}	Countys.
Benony Bishop, Kent.		
Luke Watson, Sussex.		
Thomas Fitchwater, Bucks.		
Dennis Rochford, Chester.		
Thomas Wynne, Speaker, Philadelphia.		

Agreed to sitt upon the Charter this afternoon, att 6 of the Clock.

A meeting of the generall Surv^r and Purchasers, appoointed to be held to-morrow in the evening, about the Fees of Surveying, both to be held att the Council Chamber.

Adjourned till 30th 1st Mo., 83.

MINUTES OF THE

At a Council held at Philadelphia y^e 30th 1st Mo., 1683.

PRESENT:

WM. PENN, Prop^y and Govern^r of Pensilvania and Countys annexed.

John Moll,	Capt. Wm. Markham,	Jno. Richardson,
Christo. Taylor,	Wm. Haige,	Wm. Clayton,
Wm. Clarke,	Jam: Harison,	Jno. Simcox,
Jno. Hilliard,	Francis Whitwell,	Wm. Biles.
Thomas Holmes,		

John Moll & James Harrison ordered by the Govern^r & Council to carrie Several Bills to the Assembly.

The Question putt by the Governour, whether or no the old Charter shall serve with amendments, or a new one drawn. Agreed it should be drawn again and the amendments putt in.

The Speaker wth some other members, brought Several Bills to the Council.

Adjourned till 3 in y^e afternoon.

POST MERIDIEM.

A Committee ordered to prepare the Charter by 8 of y^e Clock to morrow morning, being John Moll, James Harrison, Jno. Simcox, Thomas Holmes and Wm. Clarke.

Putt to the Vote, as many as are of opinion that a Publick Tax upon Land ought to be Raised, to defray the Publick Charge, say Yea. carried in the affirmative—none dissenting.

Jno. Moll, Wm. Clayton, John Hilliard, Jno. Richardson & Francis Whitwell, appointed for a Committee to bring in y^e Charge of y^e Province.

Adjourned till y^e 31 1st Mo., 83.

At a Councill held at Philadelphia y^e 31th 1st Mo., 1683.

PRESENT:

WM. PENN, proprietor and Gov^r of Pennsilvania and Countyes annexed.

James Harrison,	Wm. Clayton,	fran. Whitwell,
Jno. Moll,	Jno. Hilliard,	Jno. Simcock,
Wm. Haige,	Wm. Biles,	Chris. Taylor,
Wm. Markham,	Thomas Holmes,	Jno. Richardson.
Wm. Cla.k,		

James Harrison & Jno. Symcock, ordered by y^e Gov^r and Council, to Carrie several Bills to y^e Assembly relating to.

Wm. Haige desires Leave to be absent for some time. Leave is granted him.

The Speaker attends this house with several Bills.

Adjourned till 3 of y^e Clock in y^e Afternoone.

POST MERIDIEM.

The Speaker came downe this afternoone wth y^e whole house to hear the Charter read, w^{ch} was soe done.

The Gov^r proposed whether they would have y^e 500 Members Stand in this New Charter, or have it altered that only two hundred should be y^e greatest number. The Last was past in y^e Negative.

The Question was put whether they would y^e Clark wth y^e Charter to Inrole it, agreed Nemine Contradisente.

Capt. Wm. Markham,	Jno. Richardson,	James Harrison,
Chris. Taylor,	fran. Whitwell,	John Hilliard,
Jno. Symcock,	Wm. Haige,	Wm. Biles,
Jno. Moll,	Tho: Holmes,	Lasse Cock.
Wm. Clayton,	Wm. Clark,	

The Gov^r and these Memb^rs of Councill, wth y^e Whole Assembly being psent, The Bills were read and past into Laws, Nemine Contradicente.

Adjourned till y^e 2^d 2^d Mo., 83.

At a Councill held at Philadelphia y^e 2^d 2^d Mo., 1683.

PRESENT:

WM. PENN, Pro^r and Gov^r of Pennsilvania and Countyes Annexed.

Capt. Wm. Markham,	John Moll,	fran. Whitwell,
Tho. Holmes,	Wm. Haige,	Jno. Hilliard,
Christ: Taylor,	Wm. Clarke,	Jno. Richardson,
Ja: Harrison,	Wm. Biles,	Wm. Clayton.
Jno. Syncock,		

The Speaker, with two of ye Members of y^e Assembly, brought downe a Petition to y^e Governor.

Tho. Holmes, John Moll, John Hilliard and Wm. Haige, were sent by y^e Gov^r & Councill with severall Bills to y^e Assembly.

Wm. Clark sent wth Several Bills to y^e Assembly.

James Harrison & Christ: Taylor Sent by y^e Gov^r & Councill with severall Bills to y^e Assembly.

Jno. Symcock Brought severall Bills from y^e House.

The Speaker, with two other members of y^e Assembly, Wayted on y^e Councill with severall Bills.

Two of y^e Members of y^e Assembly wayted on y^e Councill with a Message Concerning y^e Bill of Cleaning of Corne, w^{ch} being put to y^e Vote, was Carried in y^e Affirmative.

John Symcock, Jno. Richardson, fran. Whitwell, Wm. Haige & Wm. Biles, were sent by y^e Gov^r & Councill with severall Bills to y^e Assembly. John Symcock & Ja: Harrison, sent Likewise with severall Bills.

Adjourned till 3 of y^e Clock, Afternoone.

POST MERIDIEM.

The Same Members Present.

The Speaker with y^e whole house came to y^e Councill to heare severall Bills read and Passed in to Laws, w^{ch} was accordingly done.

Consideration arising whether y^e Gov^r three Voyces should stand in Prov^d Councill as by y^eould Charter, the Question was put, all yee that are willing y^t the last proposition should stand so as it is, say yee. The Question being put twice, was Carried in the Affirmative.

The Great Charter of this Province was this night* read, signed, Sealed & Delivered by y^e Gov^r to y^e Inhabitants, and received by y^e hands of James Harrison and y^e Speaker, who were Ordered to returne y^e Old one wth y^e hearty thanks of y^e whole house; which accordingly they did. Edm^d Cantwell, Lasse Cock, Ralph Wethers, Jno. Rouds & Edward Southern, these members of y^e Councill were absent.

The Question was put whether Skins should be prohibited; Carried in the Negative.

Also, if they would have an Imposition laid upon them; past in the Affirmative.

Adjourned till y^e 3^d 2^d Mo. 83.

At a Councill held at Philadelphia the 3^d of y^e 2^d month, 1683.

PRESENT :

WM. PENN, Prop^r & Gov^r of Pennsilvania and Countyes Annexed.

Wm. Markham,	Jno. Richardson,	Jno. Hilliard,
Tho: Holmes,	John Symcock,	Wm. Haige,
Chr. Taylor,	James Harrison,	John Moll,
Wm. Clark,	Wm. Biles,	Ralph Withers.
Wm. Clayton,	fran: Whitwell,	

It was proposed That no fellons be brought in to this Contrey.

An Other Concerning money or Pieces of Eight.

An Other Concerning Apprentices that runn away from their masters without Certificate, should not be Entertained, and Being put to y^e Vote; was Carried in y^e Affirmative, that they may be brought in.

The Question was put whether y^e Law that is past shall stand without Altering; Carried in y^e Negative.

The Question was put whether Pieces of Eight should goe by weight; Carried in y^e Negative.

A Supply^{mt} to y^e Bill of Money, was put to y^e Vote whether it should be added. Past in the Affirmative.

The Question was put whether they would have a Seal to y^e Laws of y^e Province made Every Sessions. Carried in the Affirmative.

The Question being put if the Clark of the Councill should Indorce

*April 2^d, 1683.

the Consent of y^e Council on y^e Laws Every Session. Carried in the Affir: Nemine Contradicente.

Also if y^e Speaker should Indorce y^e Consent of y^e whole house of Assembly. Carried in y^e Affir: N. Con.

The Gov^r Adjourned y^e Assembly till such time as he & y^e Prov^d Council shall have occasion for them.

Adjourned till y^e 4th 2^d Mo. 83.

At a Council held at Philadelphia y^e 4th of y^e 2^d Mo., 1683.

PRESENT:

WM. PENN, Prop^r & Gov^r of y^e Province of Pennsylvania and Counties Annexed.

Wm. Haige,	Wm. Clayton,	Jno. Symcock,
Tho. Holmes,	Jno. Richardson,	Wm. Clarke.
Chr: Taylor,	Ja: Harrison,	

This day Charles Pickering's Business was tryed, and y^e Seamen are ordered to have 6 month pay and 5lb. given them over & above.

The Gov^r Orders that these members of y^e Council attend him.

Tho: Holmes, } 3 year men.
Chr: Taylor, }

Edm^d Cantwell, } 2 year men.
Edw^d Southern, }

Wm. Clayton, } 1 year men.
Jno. Richardson, }

Adjourned till y^e 2^d of y^e 3^d Mo., 83.

At a Council held at Lewis, the 2^d day of the 3^d Mo., 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r of y^e Province of Pennsylvania and Counties annexed.

Capt. Wm. Markham,	ffr: Whitwell,	Jno. Hilliard,
Wm. Clark,	John Symcock,	Edw ^d Southern.

The Gov^r Informed the Council that he hath made Choyce of Nich: Moore to be Secretary of y^e Prov^d Council, and Capt. Wm. Markham & Jno. Symcock were Ordered to desire y^e said Nich: Moore to appear before the said Prov^d Council; where he took place as Secretary.

The Council adjourned till y^e 23^d 3^d Mo.

At a Councill held at Philadelphia y^e 23^d 3^d Mo., 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r of y^e Province of Pennsilvania and Countyes annexed.

Chri: Taylor,
Wm. Clark,
Ralph Withers,

Ja: Harrison,
Lasse Cock,

Jno. Symcock,
Wm. Haigue.

It was Proposed to have an attested Coppy of y^e Laws Printed. After some debate y^e Gov^r put y^e Question, & it was carried in y^e Negative, they should not be printed.

It was then moved y^t an attested Coppy under y^e Secretary's hand, should be transmitted to y^e Presid^t & Clark of each respective County, for y^e People to have y^e course to for their information, & that y^e people may have coppys of y^t Coppy from y^e Presid^t or Clark, so as it be attested by two Justices as authentick. After a short debate y^e Gov^r putt y^e Question, all y^t are of opinion that a Coppy of y^e Laws under y^e Secretary's hand shall be Sent to y^e Presid^t or Clark of each County Court, & Coppys of them taken by y^e people attested by two Justices of y^e peace, say yee.

Past in the Affermative.

Ordered y^t Coppys be sent & allowed to be taken from y^e Secretary's Coppy, it being first approved by y^e Court & attested before two Justices of y^e Peace under y^e County Seal.

The Gov^r Orders this Councill to attend him dureing the L^d Baltimore's Stay in these parts, Considering y^e psent occasion.

Ralph Withers desires Leave to goe home. Leave is granted him pvided he returne when y^e Lord Baltimore comes.

The disorder in publick houses being Complayned of, it was proposed by the Gov^r all that are of opinion that two psons should be assistants to two Justices of y^e Peace, to see good Orders kept, say yee.

Past in y^e Affirmative.

All that are of opinion that Benja. Chambers and Henry Lewis be the men, say yee.

Past in the Affirmative.

All that are of opinion y^t there should be a Proclamation Issued out to this effect, that no person should deal with any Servant for goods or Money, Either for themselves or others, say yee.

Past in the Affirmative.

Adjourned till y^e 24^h of y^e 3^d Mo., 83.

At a Councill held at Philadelphia y^e 24^h of the 3^d Month, 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r of y^e Province of Pennsilvania and Countyes annexed.

Wm. Clark,
Jno. Symcock,

Ja: Harrison,

Chr: Taylor.

The Councill met according to adjournm^t and Adjourned till y^e 6^h of y^e 4^h Mo.

At a Council held at Philadelphia y^e 6th of y^e 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r of y^e Province of Pennsylvania and Counties annexed.

Ralph Withers,	Wm. Clark,	Tho: Holmes,
Chr: Taylor,	Wm. Haigue,	Lasse Cock.

A Debate was held Concerning Lett^{rs} Sent from East Jarsey to England, whereupon, Rob^t Stacey was cald in, and he saith that if this Council would be pleased to make their Complaint, that y^e people of East Jarsey will make them all y^e Satisfaction that can possibly be given.

Whereupon, James Harrison, Chris. Taylor & Tho. Holmes, were Deputed by Gov^r Penn, to goe to East Jarsey and Communicated to y^e Gov^r & Council, their Certaine passages written to England, by some of their Province, as Injurious to the Welfare and Prosperity of this.

Adjourned till y^e 8th day 4th Mo., 83.

At a Council held at Philadelphia y^e 8th of y^e 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Tho: Holmes,	Ralph Withers,	Wm. Clarke.
Chr: Taylor,		

Richard Noble's Petition was read: Ordered y^t his Case be heard & Tryed before this board y^e 20th day of this instant, and y^t he give Abr. Man his Exceptions 10 days before the Tryall. Abr. Man being psent they both agreed to stand Tryall.

Adjourned till y^e 9th of y^e 4th Mo., 83.

At a Council held at Philadelphia y^e 9th of y^e 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Tho. Holmes,	Ralph Withers,	Lasse Cock.
Wm. Clark,	Chr: Taylor,	

The Case of Nicho: Bartlett being againe Considered, it was not thought fit that any Letter should be sent into Kent County.

Nicho. Bartlett's Petition was read at this Board. Ordered that fran. Whitwell Should be sent unto, to come and answer to Nich. Bartlett's Petition & Declaration, and y^t a Coppy thereof be sent unto him, and y^t he appear before y^e Gov^r & Prov^l Council y^e 25 Instant.

Ordered that Summonses be Issued out for Bartlett's Wittnesses.

The Gov^r put y^e Question whether a Solemn Proclamation might not be Convenient to goe a long with y^e Laws Concerning Ordinarys Keeping unseasonable Hours and selling of Rum.

Also, a Proclamation that Constables in this Citty should goe to publick houses to see good Ord^s kept, and y^e people should not stay longer at an ordinary then such an hour.

Wm. Clark moveing in Councill for a Day Certaine for y^e hearing of an apeal between Jno. Bellamy and Luke Wattson, It was Ordered y^t it should be heard y^e 4th of y^e 5th month.

Wm. Clark desiring Leave to goe home, Liberty was granted him till further Order, and then Adjourned till 3 of the Clock afternoone.

POST MERIDIEM.

The Gov^r and Councill being mett,

They Ordered that two Proclamations should be issued out, one strictly to put y^e Laws in Execution, & y^e Other to suppress y^e Disorders in all Publick houses. Also, the Magistrates were sent for and Charged in Order to the same.

Adjourned till y^e 11th of y^e 4th Mo., 83.

At a Councill held at Philadelphia y^e 11th of y^e 4th month, 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Chris: Taylor,

Wm. Clark,

Tho. Holmes,

Nich. Moore, Secre.

The members of y^e Councill being not returned which went to West Jarsey, the Gov^r was pleased to prolong y^e adjournm^t till y^e 20th of y^e 4th Mo., 83.

At a Councill held at Philadelphia y^e 20th 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Chr: Taylor,

Tho: Holmes,

Ralph Withers,

Edm^d Cantwell,

Jno. Symcock,

Wm. Clayton.

Richard Noble, Pl: on an apeal, Abra. Man, Def^t

The Jugem^t of y^e County Court against Richard Noble was reade, wth the reason of y^e apeale, and soe they proceeded to Tryall.

But for as much as y^e apeal of Rich^d Noble before this board, is upon a Jugem^t given by y^e County Court of Philadelphia, Concerning a Title of Land in y^e County of Bucks, and that y^e Law saith That all Causes shall be first Tryed where they arise, It is y^e Opinion of this board that y^e apeal Lyes not Legally nor regularly before us, and therefore doe refer y^e Business to the proper County Court,

and doe fine y^e County Court of Philadelphia forty pounds for giving y^e said Judgment against Law.

Adjourned till y^e 26th 4th month, 83.

At a Councill held at Philadelphia y^e 26th of ye 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Tho. Holmes,

Wm. Clayton,

John Symcock,

Lasse Cock.

Nich. Bartlet, Plan^r upon an apeal, ffrancis Whitwell, Def^r, proceeded to Tryall.

Tho: Grones being attested, declares that fran. Whitwell pretended to doe Bartlet a Kindness in y^e apraism^t of his goods, but afterwards would not, but much to his disadvantage.

Peter Gronendick being attested, declare That Whitwell promised not to take away any of y^e goods of Nich. Bartlet's.

Tho. Williams Being attested, declares y^e same.

Several more things being alledged on both sides.

The Gov^r & Councill Considering the hole matter betwixt the Plan^r & Def^r, doe think the appraism^t is under Vallued, and therefore do give it to be their Opinion that y^e Plantif is wronged, And therefore doe Order y^e Defend^r to pay to y^e Plaintiff within six Weeks time three Cows and Calves, between four and seaven years old. Also Ordered,

That they pay the Wittnesses Charges between them.

Adjourned till y^e 4th 5th Mo., 83.

At a Councill held at Philadelphia y^e 4th of y^e 5th Mo., 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Capt. Wm. Markham, Wm. Clark,

Tho. Holmes,

James Harrison, Chr: Taylor,

Jno. Roads.

John Symcock,

John Bellamy, Plan^r upon an apeal; Luke Wattson, Defen^t

The Coppy of y^e Order of Court for an apeal was read, also y^e Judgm^t of Court in Sussex County.

The Defend^r answers by his Letters and Survey, wth Other Letters & papers in pursuance of Capt. Cantwell's grannt.

The Plaintiff Questions Cantwell's Authority, & Saith the Gov^r of York Tore the Defend^rs Pattent, for its being for so much as three thousand acres; The Proposeth whether the Title of the Defendants Prior in Date be sufficient; if soe y^e Plaintiff is Void.

Offered by the Gov^r and Councill to the Deff^t, that if they could Produce any Pattent, or Certificate of a Pattent, they should have time given them by this board; Which was refused by the Defend^t and his attorney, Abr: Man.

Upon the hearing and Debateing of y^e Whole matter between Jno. Bellamy, Plan^t, & Luke Watson, Deff^t, upon an apeal from Sussex Court, This Board Unanimously agree in Judgm^t for the Plan^t wth forty Shillings Damages and Costs of Suite, for that it doth not appear that Capt. Henry Smith, under whom the Def^t Claimes, hath any Claime in Law or Equity for any Land upon prime hooke, and it is hereby Ordered that y^e Plan^t shall pay to the Defend^t for his Improvem^t he hath made what shall be adjudged the true vallue thereof by three Comiss^{rs} of Valluation appointed by this board, to Witt: Jno. Roads, Rob^t Brassy and Alexandre Draper, of y^e s^d County, or any two of them. One halfe to be payd by y^e 20th day of y^e next ninth month, and y^e other halfe by the 20th day of y^e ninth month, which shall be in y^e year 1684, and that the Defend^t have four months time from y^e Date hereof to take away his Cropp and Stock, and other Moveable Concernes.

Appointed that there be an Order sent downe to y^e Comiss^{rs} about John Bellamy's & Luke Wattson's Business.

Adjourned till y^e 1st 6th Mo., 83.

At a Councill held at Philadelphia y^e 1st of y^e 6th Mo., 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho. Holmes,

Wm. Clark,

Nich. Moore, Secretary.

Lasse Cock,

Chris: Taylor,

That 'tis thought fit the Care of Magistrates, that due provision be made for the Sustenance of the People, and though our Provisions are but small, yett that there may be Care taken Every One may partake.

Adjourned to y^e 16th 6th Mo., 83.

At a Councill held at Philadelphia y^e 16th of the 6th month, 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Capt. Wm. Markham, Tho. Holmes,

Chr: Taylor,

Lasse Cock,

Wm. Clayton,

Nich. Moore, Secre.

A Complaint was read against Griffith Jones, it was left to y^e Court of Philadelphia to deside, he giving Security.

Griff. Jones & Chr: Taylor obligeth themselves in five hundred pounds penalty, to appear y^e next Sessions to be held in y^e s^d County.

Adjourned till y^e 22th 6th Mo., 1683.

Offered by the Gov. and Council to the Debt, that if they could produce any Patent or Certificate of a Patent, they should have time given them by this board; Which was refused by the Debt and his attorney, Abr: Man.

Upon the hearing and Debating of *W. Watson* matter between *John Bellamy, Plan, & Luke Watson, Debt*, upon an appeal from the Court, This Board Unanimously gave in judgment for the Plan forty Shillings Damages and Costs of Suit, for that it does not appear that *Capt. Henry Smith*, under whom the Debt Claimed, had a Claim in Law or Equity for any Land upon prime hook, and it hereby Ordered that *W. Plan* shall pay to the Debt for his recovery, he hath made what shall be adjudged the true value thereof by three Comiss^{rs} of Valuation appointed by this board, to *Wm. Jno. Roads, Robt. Brassy and Alexander Dupper*, of *W. County*, any two of them. One half to be paid by *W. 30th day* of *W. ninth month*, and *W. other half* by the *20th day* of *W. ninth month*, which shall be in *W. year 1684*, and that the Debt have four months time from *W. Date* hereof to take away his Crop and Stock, and other Movable Concernes.

Appointed that there be an Order sent down to *W. Comiss^{rs}* above *John Bellamy's & Luke Watson's Business*.

Adjourned till *W. 1st 8th Mo., 83.*

At a Council held at Philadelphia *W. 1st of 8th Mo., 1683.*

PRESENT:

Wm. PENN, Prop and Gov.
Tho. Holmes,
Lasse Cook,
Wm. Clark,
Chris: Taylor,
Nich. Moore, Secretary

That 'tis thought fit the Care of Magistrates, that due provision made for the Sustainance of the People, and though our Provision are but small, yet that there may be Care taken Every One may partake.

Adjourned to *W. 10th 8th Mo., 83.*

At a Council held at Philadelphia *W. 16th of the 8th month, 1683.*

PRESENT:

Wm. PENN, Prop and Gov.
Capt Wm. Markham, Tho. Holmes,
Lasse Cook,
Wm. Clark,
Chr: Taylor,
Nich. Moore, Secretary

A Complaint was read against *William Jones*, it was left to Court of Philadelphia to decide, he was Security.
Griff Jones & Chr: Taylor obtained themselves in five hundred pounds penalty, to appear *W. next Session* to be held in *W. County*

At a Councill held at Philadelphia y^e 22th of y^e 6th month, 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Capt. Wm. Markham, Wm. Clark,

Nich. Moore, Secre.

Chris. Taylor, Tho. Holmes,

Ordered that a Proclamation should be Issued out for y^e Council and Assembly to Sitt y^e 24 of the 8th Mo., 83.

Wm. Clark desired leave to goe home; Also to be Excused from coming to the next Genall Assembly, he having had a Long Journey into Maryland for the Publick Service. His request was accordingly granted him.

Adjourned till 29th 6th month, 83.

At a Council held at Philadelphia y^e 29th of y^e 6th month, 83.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Jam. Harrison,

Tho. Holmes,

Chris. Taylor.

John Symcock, Wm. Clayton,

The Gov^r put y^e Question whether a Proclamation were not Convenient to be put forth for to Impower Masters to Chastise their Servants, and to punish any y^t shall Inveyle any Servant to goe from his Master. They Unanimously agreed and Ord^d it accordingly.

Adjourned to y^e 7th 7th Mo., 83.

At a Councill held at Philadelphia y^e 7th of y^e 7th Mo., 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Edmond Cantwell,

Edw^d Southern,

John Roads,

Lasse Cock,

Tho. Holmes,

John Hilliard,

Jam. Whitwell,

John Symcock,

Wm. Biles,

Ja. Harrison,

Wm. Clayton,

Chris. Taylor.

The Petition of Hugh March and Other Persons against James Kilner, M^r of the Levee of Leverpoole, was read, and y^e Councill proceeded to Examine into y^e Business.

Hugh March Comp^s Saith y^e M^r James Kilner Trode upon him on board the Ship, whereupon, he said Dam it, cannot the man see! for which y^e M^r beat him and made his mouth bleed.

James Kilner Confesses he being in a Storme, trode on him by chance, and y^e Other Daming of him and calling him foole, Caused him to Cuff him.

John Fox complaineth against James Kilner, and Saith he bid him

cleane the Deck, he answered it was cleane already, whereupon, y^e Master beat him.

James Kilner answered that one night he Spake to Jno. fox to cleane y^e Deck, who said he would not, and also gave him y^e Lie, whereupon, y^e M^r Struck him.

Edward Jones saith he drew some Water, and afterwards The M^r seeing y^e hhd of water open, fell upon y^e s^d Jones, and beat him with a staff and made his nose bleed, and afterwards drew him by y^e hair of the head to the Mainmast, kickt him on the side, and run his fingers up his nose.

James Kilner answereth y^t he asked y^e said Jones why he lett y^e water run at wast, who said he did not let it run at wast, and gave him y^e like and other ill words, wherupon y^e M^r struck him.

Nich. Newtin declareth between both, that there was a Caske w^{ch} wanted a pegg, That was almost out, and y^e Master spake to Edw^d Jones to put a pegg into it, which he did, but still it runn out, whereupon the M^r struck him several Blows.

Adjourned till y^e 8th 7th Mo. 83.

At a Councill held at Philadelphia y^e 8th of y^e 7th Mo. 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Chr: Taylor,	Jno. Symcock,	Jam. Harrison,
Tho: Holmes,	Wm. Clayton,	ffra. Whitwell,
Jno. Roads,	Wm. Biles,	Jno. Hilliard,
Lasse Cock,	Edw ^d Southern,	Edm ^d Cantwell.

The Gov^r proposes a Law to be drawn, That Servants which run away should serve five days for Every days absence after y^e time of their Servitude, & pay the Costs and damages the Master shall Susteine by their absence.

The Gov^r Stateing y^e Question, it was Carried in y^e Affirmative, N.C.

Capt. Edm^d Cantwell, Wm. Biles, Jno. Symcock & Jno. Roads appointed a Committee to bring in a Bill concerning horses goeing out and coming into this Province.

Wm. Shute's Petition Concerning his Son, detained by Denis Rocheford, was read; he is referred to the County Court.

The Committee brought in these following Bills, Viz: one Concerning Importation of horses; and one for Exportation of horses; both which were read.

Phillip England made his Complaint against James Kilner, who denyeth all alledged against him, only y^e Kicking of the maid, and that was for Spilling a Chamber Pott upon y^e Deck; otherways he was Very Kind to them.

George Green Saith that Phillip England went to Said Kilner to the overplus Water, also Beer, which was his own, and was denied it.

Tho. Brinket Saith that James Kilner said he must take care of

their Water, having but a Little Left, but never denyed them water at any Time.

Also y^e Ship rouled sometimes when y^e Caske was almost out, and soe made it Like pudle. He further saith y^e Seamen drunk more of y^e Passingers beer then they themselves, and chainged 5 Barrells of y^e Passingers beere and then the had not pformed halfe their Voige, and the Ship beer being spent, drank wholly of the Passing^r; he also saith y^e Seamen drunk some times one Cann, some times two a day, more then y^e Passingers that owed the drinke. The Master saith the Passingers Left the Ordering of the Drink to him, but they deny it.

The Gov^r gave the Master a Repremand and advised him to goe wth the Passingers and make up the Buisness, w^{ch} accordingly he did.

Adjourned till y^e 10th 7th Mo., 83.

At a Councill held at Philadelphia y^e 10th of the 7th Mo., 1683.

PRESENT :

WM. PENN, Prop^r and Gov^r.

Tho. Holmes,	Jno. Symcock,	Edw ^d Southrin,
Chr: Taylor,	Wm. Biles,	Wm. Clayton,
Edm ^d Cantwell,	fira : Whitwell,	Lasse Cock,
James Harrison,	Jno. Hilliard,	

The Petition of Peter Groenendick, desireing a Speciall Court, was read. Francis Whitwell answerd that being there aught to be a Court Every two months. Only he would not answer to a Speciall Court, there being no Jury to Try it. It is the result of this board that noe more Speciall Court shall be granted.

A Bill was read Concerning Servants; past a first reading without Desent.

Tho. Holmes, Edm^d Cantwell, James Harrison, Chris. Taylor, appointed a Comittee to draw Bills for Warrants, Bills, Bonds, repleanens, Sumonses and attachm^s to be brought in y^e afternoone.

A Bill Concerning Sumonsing of Jurys was read, & past a first reading without desent.

A Bill Concerning Justices Sitting in their own Cause upon an appeal, although a Prov^l Councillor should Sitt in Prov^l Councill upon that apeal, read; past the first reading without Desent.

A Bill Concerning bringing in of horses, past a second reading without Desent.

A Bill Concerning Carrieing of horses out of this Province, past a Second reading without Desent.

A Bill Concerning y^e Privileges of Prov^l Councill men, Assembly men, and Courts of Justice, past y^e first reading without Desent.

POST MERIDIEM.

The Bills above said, w^{ch} are six, were againe read a Second time & past without desent.

These Persons following, did Solemnly promise before this honorable board, faith and allegiance to y^e King, & fidelity and Lawful Obedience to Wm. Penn, Prop^r & Governor.

Capt. Gabriell Rappe, M^r Andrew Learrin, Andrew Inbert, Petter Meinardeau Uslee, Lees Cosard, Nich. Ribouleau, Jacob Raquier, Louis Boumat.

Several Bills were brought by the Committee Concerning Bonds, bills, attachm^{ts} &c.

Which were read a first reading & past without Desent.

Adjourned till y^e 11th 7th Mo., 83.

At a Councill held at Philadelphia y^e 11th of y^e 7th Mo., 1683.

PRESENT:

W^m. PENN, Prop^r and Gov^r.

Edm ^d Cantwell,	Jno. Halliard,	James Harrison,
Edw ^d Southrin,	Wm. Clayton,	Tho. Holmes,
fran. Whitwell,	Wm. Biles,	Jno. Symcock,
John Roads,	Chris. Taylor,	Lasse Cock.

Severall Bills Concerning Sumonses, Bonds, Bills, attachm^{ts} &c., Others Concerning Sherrifs and makeing up of acc^{ts}, were read a second time; past without Desent.

Wheras, there is a Petition preferred against francis Whitwell by Peter Gronendick, fran: Whitwell, Complayning against s^d Peter Gronendick, They doe Joyntly agree to have y^e Differance Tryed before the Gov^r and Councill the 26th 8th month next Ensuing.

A Bill ordered to be drawn for Clark's fees to be recovered; also an Other for sitting up of Bouyes in the River & Bay.

Adjourned till the 12th 7th Mo., 83.

At a Councill held at Philadelphia the 12th of y^e 7th Mo., 1683.

PRESENT:

W^m. PENN, Prop^r and Gov^r.

Chris. Taylor,	fran. Whitwell,	Wm. Biles,
Jam. Harrison,	Jno. Hilliard,	Edw ^d Southrin,
Tho. Holmes,	Edm ^d Cantwell,	John Road,
Jno. Symcock,	Wm. Clayton,	Lasse Cock.

All the Before mentioned Laws were read a third time, & past wth out Desent.

John Hill was attested to the Truth of these severall acc^{ts} and Bills, wth are as followeth:

Due to Wm. frampton, Viz':

Phillip Morris, 561lb. Tobacco.	Dr. Contra Cr.	L.
Wm. Clark, 954lb. pork, 6128lb. Tabac.	{ Cr.	3600 lb. Tabac.
	{ Diet & Storidg.	

Wm. Emitt, Dr. 686 lb. Tobacco.	}	Cr.	L.
Indian Cor 26 Bus ^l . 2 $\frac{1}{2}$ ^d			
Sam ⁿ Grey, Dr. 573 lb. pork, 393 lb. Tobac. & 2lb. 4s. 11 mony, Cr. 557 lb. pork.			
Wm. Keening, Dr. 30 lb. pork.		Cr.	
Wm. Carter, Dr. 2 lb. 16, 8, 11 in mony, 112 lb. pork, Cr. Wheat 1 lb. 10, 00. Pork 130.			
Henry Strecher, 325 lb. pork, 340 lb. Tobacco.		Cr.	
Alexander Moleston, 115 lb. pork, 815 lb. Tobacco.		Cr. pork, 130 lb.	
Luke Watson, Dr. 708 $\frac{1}{4}$ lb. pork, 1367 lb. Tobacco.	{	Cr. Tobacco 1113 lb.	
		pork 329 lb.	
Balance due 379 $\frac{1}{2}$ lb. 254 lb. 2.		mony 3 lb. 00, 00.	
Andrew Dewpre, Dr. to 17lb. 3 $\frac{1}{2}$ p. Indian Corn.		Cr.	
Jno. Johnson, Dr. £ 0, 16, 6.		Cr. 0lb. 5She. 00.	
Jno. Vines, Dr. to 663 lb. pork, 1893 lb. Tobacco.		Cr. 500 lb. Tabac.	
Henry Skidmore, Dr. 1243 lb. pork, 350 lb. Tabaco.		Cr. 60 Tabac.	
Jno. Oakey, Dr. 1, 1, 3 $\frac{1}{2}$.		Cr.	
Joseph Low, Dr. 452 lb. Tobacco.		Cr.	
Roger Gom, Dr. 30 lb. Tabaco.		Cr.	
Rich. Patty, 2 Bar ^{ls} Indian Corne,		Cr.	
Wm. Bradford, Dr. 28 lb. porke,		Cr.	L.
Geo. Young 3 Bush. 2 pecks Wheat.		Cr.	L.
Jno. Brinklow, Dr. by ball. of acct 6 Janv ^y 1682-3, 138 lb. pork, 1200 lb. Tabaco.			
Tho. Stretton, Dr. 140 lb. Tabaco.		Cr.	L.
Benony Bishop, Dr. 3682 lb. Tobaco.		Cr. 2700 lb. to Ball. 982 lb. Tob.	
Anth. Inloes, 490 lb. Tobacco.		Cr. 361 lb. to Ball. 129 lb. Tob.	
Jno. Betts, 459 lb. pork, 2906 lb. Tob.		Cr. 2167 lb. Tob. To ball. 459 lb. pork, 839 lb. Tobacco.	
Edw ^d Peck, 300 lb. pork, 1721 lb. Tob.		Cr. 1650 lb. Tob. to ball. 300 lb. porke, 71 lb. Tobacco.	
ffran. Whitwell, Dr. 3223 $\frac{1}{2}$ Tob.		Cr. 2180 lb. due to ball. 1043 lb. Tobac.	
Jno. Roads, Dr. 781 lb. Tob.		Cr. 445 lb. Tob. due to ball. 334 lb. Tob.	
Rob ^t Waker, Dr. 2408 lb. Tob.		Cr. 2240 lb. Tab. due to ball. 168 lb. Tab.	
Patrick Grady, Dr. 717 lb. Tab.		Cr. 450 lb. Tab. due to ball. 267 Tabac.	
Sam ⁿ Mott, 184 lb. Tob.		Cr.	
Jno. Veckers, 90 lb. Tob.		Cr.	
Geo. Calling, 60 lb. Tob.		Cr.	
Wm. Ellingsworth, 1219 $\frac{1}{2}$ Tob.		Cr. 970 lb. Tob. due to ball. 249 $\frac{1}{2}$ Tob.	
Wm. Shore, Dr. 494 lb. Tobac.		Cr. 345 lb. Tob. due to Ball. 149 lb. Tob.	
Dan ⁿ Soanes, Dr. 1058 lb. Tob.		Cr. 840 lb. Tobac.	
James Smyth, Dr. 240 lb. Tob.		Cr.	
Robert Bedwell, Dr. 240 lb. pork.		Cr. 180 lb. pork, due to Ball. 60 lb. pork.	

- Tho. Williams, Dr. 1019 lb. pork, 4594 lb. Tob. Cr. 2344 lb.
 Tob. 500 lb. pork, Due to Ball. 519 lb. pork, 2250 lb. Tobac.
 Lewis Johnson, Dr. 1756½ lb. Toba. Cr. 1350 lb. Tabac, due to Ball.
 406 lb.
 Nath. Walker, Dr. 407 lb. Toba. Cr.
 Wm. Trotter, Dr. 504 lb. Tobacco. Cr.
 Henry Harman, Dr. 748 lb. Tobacco. Cr. for Corne rec^d, but know
 not how much to allow.
 Tho. Kames, Dr. 2577 lb. Tob. Cr.
 Tho. Hill, Dr. 650 lb. Tob. Cr. 400 lb. Tob. due to ball. 250 lb.
 Toba.
 Jno. Curtis, Dr. 8500 lb. pork, 2819 lb. Tob. Cr. 2040 lb. pork,
 265 lb. Tob., 1 anker Butter, to pork Peter Baucomb plumblet
 out of y^e boat, also 4 hhds. of Tob.; I forgot y^e weight.
 Robert Braceys, Dr. 16 lb. Tobacco. Cr.
 Edw^d Warmer, Dr. 0 15s. 00d. Cr.
 Wm. Darvall, Dr. 589 lb. pork, 5114 lb. Tob. Cr. 3840 lb. Tobac.
 due to ballance 589 lb. pork, 1274 lb. Tobacco.
 Cha: Pickering, Dr. 500 lb. Tobacco. Cr.
 County of Kent, Dr. to Salt porke, which y^e Sheriff, Peter Bawcoub,
 took out of y^e boat, w^{ch} he Suit* there was but 700 lb., but I can-
 not tell how much, for there was pork in y^e boat to y^e Quan-
 tity of 2700 lb.
 Tho. Hassald, Dr. 480 lb. Tob., Cr. 400 lb. due to ball 80 lb. Tob.
 James With, Dr. 2 lb., 5 s. 1 d., Cr.
 Tho: Danis' bill for 530 foot plank.
 Edw^d Southrins' Bill for 904 lb. porke.
 Eliz: Roads' bill for 100 lb. porke.
 Jno. Depreys' bill for 935 lb. porke.
 Bap^t Newcombs' bill for 212 lb. porke.
 Wm. ffutchers' bill for 5425 lb. porke, 1309 lb. Tobacco.
 Jno. Streets' bill for 220 lb. pork.
 Sarah Averys' bill for 3785 lb. pork.
 Rob^t Richards' bill for 70 lb. porke.
 Jno. Burtons' bill for 4625 lb. porke, 6003 lb. Tabacco.*
 Rob^t Jn^{ss}ons' bill for 300 lb. Tobacco.
 Bryan Omelys' bill for 120 lb. Tobacco.
 Geo: Martys' bill for 289 lb. Tobacco.
 Tho: Grones' bill for 340 lb. Tobacco.
 Jno. Newills' bill for 285 lb. Tobacco.
 Wm. Dorringtons' Bill for 260 lbs. Tobacco.
 Charles Morleys' bill for 300 lb. Tobacco.
 Jno. Cortneys' bill for 940 lb. Tobacco.
 Jno. Betts, his bill for 4500 lb. Pork.
 Rich. Willsons' bill for 385 lb. Tobacco.
 Wm. Windsmores' bill for 535 lb. Tobacco.
 John Hilliards' bill for 1900 lb. Tobacco.
 Simon Irons' bill for 893 lb. Tobacco.
 Al: Drapers' bill for 233 lb. Tobacco.

*This word should be said.

Jno. Richardsons' bill for 3233 lb. Tobacco.

Edw^d Warmers' bill for 4000 lb. Tobacco.

Adjourned till y^e 24th 8th Mo., 83.

At a Councill held at Philadelphia y^e 24th of the 8th month, 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r

Tho: Holmes,

Lasse Cock,

Wm. Biles,

Wm. Clayton,

Chr: Taylor,

John Symcock.

The Gov^r Informed y^e board, that it was Convenient Warrant should be sent from this board to aprehend some persons upon suspition of putting away of bad money.

A Question put whether there be not some psons to vent such money here.

Rob^t Felton being attested, The Question was put to him whether or no he rec^d any Silver of Charles Pickerin, to Quine for him; he answered yes, 24 pounds of Bard Silver; he also made the Seales, & Charles Pickering & Sam^l Buckley helped him to make the Bitts. Quest: what did they add to the allay of y^e 15 lb. 2^s; about 4^s of Copper; and what to y^e 9 lb. 3 or 4^s of Copper, being the allay; he cannot be Exact how much the allay was, for they did sometimes put in more then he knew of.

A Warrant was Issued forth from this board, to bring Charles Pickering & Sam^l Buckley before them. Tho: Clifford appointed Messing^r for this Sessions.

Robert Felton also saith he had noe Silver brought to him, but by the psons above named, and he Scroopling to do it, the Silver having been already allayed, and if they did not put more Copper into it they would Loose by it; they said they would Bare him out in what he did for them.

The Gov^r telleth Ch: Pickering & Sam^l Buckley of their abuse to y^e Governm^t, in Quining of Spanish Bitts and Boston money, to the Great Damage and abuse to y^e Subjects therof. The Gov^r asked them whether or no they are Guilty of y^e fact. They confess they have put of some of those new bitts, but they say that all their money was as good Silver as any Spanish money, and also deny that they had any hand in this matter. Charles Pickering saith he will Stand by it and be Tryed; he declareth that he heard Jno. Rush Swere that he Spent halfe his time in making of Bitts.

The Gov^r asketh Sam^l Buckley whether he did not help to melt money, or to put in y^e Copper allay into y^e Silver more then Should be, and to have been at y^e Stamping of new Bitts, and Striking on the Stamp.

He Confesseth he hath been guilty of somewhat of that; also, was

there not to y^e knowledge any brass or Copper put into the Silver that was melted? he Sayeth yes.

Also, whether or no thou didst not help Charl. Pickering's man to melt, and also to stricke the hamer and See y^e Seals, and disperse some of the Bitts, more or Less? he Sayeth yes.

Was there not more allay put into the Silver then Ordinary, and y^e Person tould that Stamp it, that There was too much? he sayeth yes.

John Rush being sent for & Examined, Positively denyeth what Char. Pickering affermd.

The Gov^r Demands of Charl. Pickering and Sam^l Buckley to give Security, w^{ch} accordingly was done.

Tho. Phillips & Sam^l Buckley, Enter into a Recognizance of five hundred pounds for Sam^l Buckley's appearance before this board when demanded, and not to goe out of towne without Leave.

Rich^d Wall and Char. Pickering binde themselves and Enter into a Recognizance of five hundred pounds for Char. Pickering's appearance before this board, and not to goe out of towne without Leave.

Ordered y^t y^e Sherrieff take Rob^t ffelton into Custody, & him safe to keep untill further order.

POST MERIDIEM.

The Gov^r moved that at y^e beginning and Ending of the Sitting of the Assembly, the People of y^e Citty and Countrey may if they please, come in and hear what shall be spoken unto them.

The Assembly being admitted, the Gov^r opened the house, and Caused to be delivered to the Speaker fiftene Laws Concerning severall things for them to debate of.

A Petition of y^e County of Kent was Cognizable before this board, and it is referred to a Committee of some of this board and some of the house of Assembly to that part of y^e Petition Relateing to pattents.

The Gov^r telleth them that the fault of not having Pattents is not y^e Gov^r but their owne, for they ought always to attend the Gov^r for them, and that their Default is so far from giving them pretence not to pay Quitrents, that with an Other Gov^r it might Weaken their Tittles or Pinch their pocketts, and that y^e Ord^r of S^r Edmond Andros for three Years to Seat in Expired in '78, and that divers Orders were sent to them to take out their Pattents, and further more there was an Other Order that those that had not or should not settle in 6 months should forfeit their Lands; also thousands of acres in the Lower Countys which y^e Gov^r might have taken from them, being forfeited; therefore they ought to be Content.

A Warr^t was Issued Out from this Board to Benjam. Chambers, High Sherrieffs, to Sumons a Grand & Petty Jury for the Tryall of Char. Pickering & Sam^l Buckley.

Adjourned till the 25th 8th Mo. 83.

At a Council held at Philadelphia the 25th 8th Mo., 1683.

PRESENT:

WM. PENN, Prop^r & Gov^r.

Tho. Holmes,

Wm. Biles,

Jno. Symcock,

Lasse Cock,

Wm. Clayton,

Ja: Harrison,

Chr. Taylor.

Ordered, That an Indictm^t be Drawne against Char. Pickering & Sam^l Buckley, Grounded upon Evidence taken before this board.

Two of the Assembly, Jno. Blumistone & Luke Watson, came to this board to be Informed Concerning the Sheriffs, calling them to y^e Service of a Grand Jury, and they were tould it was about Corrupt money, and that it was not by Compulsion, but wth their Consent.

John Symcock Sent by y^e Gov^r & Prov^l Council to y^e Assembly, that Griffith Jones may have Liberty to come before this board to be Examined in a Businesse of Moment.

Complaint being made to this board about New Bitts and New England Shillings, It was resolved that there should be a Proclamation Issued out forthwith to cry them downe.

Griffith Jones Attested, saith that Charles Pickering sent him Eight pounds in New Bitts to pay New England men, but they would not take it; therefore he went to Mary Bartholmew and changed fourty Shillings to make up a sume which Otherways he could not have done, and he promised to change it againe, and further Saith not.

John White made Attorney Generall to plead the Cause between Our Prop^r & Gov^r, and Char: Pickering & Sam^l Buckley.

POST MERIDIEM.

Thorn. Holmes and James Harrison Sent to y^e house of Assembly, to Lett them Understand, that if they were ready Wee are ready, and stay for them.

Wherupon the Speaker wth y^e Whole house, came to attend this Board wth a returne of y^e Bills wth were delivered to them by this board; Which Bills were read the Last reading and past, Nemine Contradicente.

A Grand Inquest were Impanneld and Attested, whose names are as followed:

Tho: Lloyd, foreman.

Jno. James,

Jno. Parsons,

Enoch flower,

Jno. Vanborson,

Jno. Blunstone,

Rich. Wood,

Robt. Hall,

Tho: fitchwater,

Jno. Hardin,

Valt. Hollingsworth,

Wm. Guest,

Jno. Hill,

Alex^r Draper,

Jno. Curtis,

Edw^d Louff,

Jno. Louff,

Robt. Lucas,

Ja: Boyden,

Jno. Wale,

Hen. Jones,

Nich. Walne,

Sam^l Darke,

Caleb Pusy.

And then adjourned till y^e 26th Ins^t, 8th Mo. 83.

At a Councill held at Philadelphia y^e 26th 8th Mo. 1683.

PRESENT :

WM. PENN, Prop^{er} & Gov^r.

Chr: Taylor,	Jno. Richardson,	Tho: Holmes,
ffra: Whitwell.	Lasse Cock,	Jo. Symcock,
Wm. Clayton,	Wm. Biles,	Ja: Harrison.
John Moll,		

The Grand Jury being called Over, went forth to find the Bill against Charles Pickering, and returned and found y^e Bill as being a Heynous and Greivous Crime.

The Petty Jury were Impanneld and Attested, whose names are as followed:

John Claypoole, foreman.	Jno. Barnes,	Walt ^r King,
Rob ^t Turner,	Jos. ffisher,	Benj: Whitehead,
Rob ^t Euer,	Dennis Rochford,	Tho: Rouse,
Andrew Brinkson,	Wm. Howell,	David Brintnell.

The Indictm^t was read against y^e Prisoner at y^e Barr, to w^{ch} he answered not Guilty, and would be tryed by his Country. The Attorney Gen^l then opened y^e Cause and called for his Witnesses as followed:

Caleb Pusey attested, Saith that Charles Pickering paid him 15lb. in New Bitts, w^{ch} were produced in Court.

Griffith Jones Attested, Saith that he borrowed of the Prisoner Eight pounds in New Bitts, as they are now called.

Mary Bartholmew attested, saith that Griffith Jones came to her and desired her to change him fourty Shillings; shee said she would, provided he would change them againe, and he sayd he would; wherupon he had it, wherof some of y^e pieces were produced in Court.

The foreman of the Jury desired that y^e Prisoner would tell him who he had the money of that he payd to severall people, but he sought to Evade it, saying the money that any pson rec^d of him he would change it, and that noe man should Loose any thing by him.

The Gov^r gave y^e Charge to ye Jury, and they went forth and returning againe, brought him in Guilty of y^e Bill of Indictem^t.

A Bill sent to y^e Grand Jury against Sam^l Buckley and Robt. Fenton, which was found, and their Indictm^ts read against them; they both Confessed y^e fact, and the Petty Jury went forth and brought them in Guilty of their Indictm^ts. Sam^l Buckley & Robt. ffenton, both Declare that Pickering and they two made the Money to gather, and Robt. ffenton saith that he Cut the Seals for Charles Pickering, and tha^t he was at worke there with them about a Week or more, and further saith, one pair was made before he absented himselfe, and one paire afterwards, and y^t the mint was not in this Province, which was declared by both of y^e aforesaid Prisoners.

After Which, y^e Gov^r Proceeded to give Sentence against y^e Prisoners, w^{ch} is as followed.

Charles Pickering, The Court hath Sentenced thee for this high misdemeanor whereof thou hast been found Guilty by the Country,

that thou make full Satisfaction in good and Currant pay to Every Person that shall within y^e Space of one month, bring in any of this false, Base and Counterfitt Coyne, (w^{ch} will to morrow by Proclama- on be called in,) according to their respective proportions, and that the money brought in, shall be melted into gross before returned to thee, and that thou shalt pay a fine of fourty pounds into this Court, towards y^e Building of a Court house in this Towne, and Stand comited till payd, and afterwards fined Security for they good abearance.

Sam^l Buckley, the Court Considering thee to have been more En- genious then he that went before thee, hath thought fitt to fine thee, and doe fine thee tenn pounds towards a Public Court house here, and to finde good Security for thy good abearance.

Robert ffenton, the Court haveing also Considered thy Ingenuity in Confessing the Truth of Matters, and that thou art a Servant, hath only Sentenced thee to Sitt an hour in the Stocks to morrow morning.

Adjourned till the 27th 8th month, 83.

At a Councill held at Philadelphia y^e 27th of y^e 8th Mo., 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho: Holmes,	Wm. Clayton,	Jam: Harrison,
Jno. Symcock,	John Moll,	Wm. Biles.
ffr: Whitwell,	Chr: Taylor,	

A Proclamation was this day Issued out to put downe Bitts a Coyne so Called, w^{ch} were Counterfitted by Char: Pickering, and also he to make satisfaction to all manner of Persons wronged by y^e same.

A forme of a Proclamation begins thus:

By the Proprietary and Gov^r of y^e Province of Pennsilvania, & the Territories thereunto belonging, by and wth the advice and Con- sent of y^e Prov^l Councill of y^e same.

Ordered that there being a retorne made to this board, by y^e Comissⁿ of appraisem^t appoynted between Luke Watson and John Bellamy, of Certaine Improvm^t made by Luke Watson, on a Planta- tion adjudged to John Bellamy at Prime hook, in y^e County of Sus- sex, in the Territories of this Province, in as much as y^e s^d Jno. Bel- lamy hath not payd him nor Secured him the Vallue of y^e appraisem^t and that he is at psent out of y^e Countrey, that he may Enjoy y^e s^d Plantation till payd, or sufficiently Secured.

It is Ordered by this board, that y^e said Luke Watson, doe Peacea- bly Enjoy the sayd Plantation till y^e said John Bellamy hath payd or given sufficient Security to pay the same, or hath shown to this board a good cause to the Contrary.

Adjourned till y^e 29th of y^e 8th Mo., 83.

At a Councill held at Philadelphia y^e 29th of y^e 8th month, 1683.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Tho: Holmes,	Jno. Symcock,	ffra. Whitwell,
Chr: Taylor,	Jno. Richardson,	James Harrison,
Wm. Biles.		

Charles Pickering Sent for by the Messinger.

A Petition of ffra. Whitwell read.

A Warrant Issued out to make Search in y^e Shop and Lodging of Isack y^e Smith, Humphrey Best and Jno. Rush, doe worke for mettles Coynded or uncoynded, Stampd or unstampd, Iron or Steel only excepted.

A Petition of Rob^t Marsh read, and Ordered that ffancis Whitwell release him or sue the Bond.

Adjourned till y^e 30th 8th Mo., 1683.

At a Councill held at Philadelphia y^e 30th 8th Mo., 1683.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

James Harrison,	Jno. Richardson,	Wm. Haigue.
Tho. Holmes,	Wm. Biles,	

John Richardson desired a Writt of Inquirey Concerning the Estate of Mich. Simkin.

Adjourned till y^e 7th of y^e 9th Mo., 83.

At a Councill held at Philadelphia the 7th of the 9th month, 1683.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Chris. Taylor,	ffran. Whitwell,	Tho. Holmes,
Jno. Richardson.		

A Petition of Peter Gronendicks read, and upon reading this board grant him a rehearing of a Case of Difference between Cornelius Varhoof, Pl^t and Peter Gronendick, Deff^t, before y^e Gov^r and Prov^t Councill y^e 28th Ins^t 1683.

A Petition of Abra. Westron read: Ordered, that he be remitted his fine, but that his Wife pay hers, it being 5 pounds.

A Petition of Rich^d Wells read: Ordered that he be referred to y^e Peace makers, and in Case of Refusall to y^e County Court, according to Law.

Adjourned till y^e 21th of 9th Mo. 83.

At a Council held at Philadelphia The 21th of the 9th Mo., 1683.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho. Holmes,
Wm. Clayton.

Wm. Haigue,

Chris. Taylor,

The Petition of ffr. Whitwell read, and upon Consideration of his allegations of Mistakes in Peter Gronendicks acco^{ts}.

Ordered that unless they referr it to two Persons Indifferently Chosen, this board doth grant a rehearing, ffr. Whitwell paying the Charge thereof.

Jno. Stephens, Pl^t }
Evan Davis, Def^t } by an apeal from Kent County Court.

The Plan^t Declaration was read and they pceeded to Tryall.

The Plantif declared that if The def^t would Swear to his acco^{ts}, that he would allow of them.

That upon y^e hearing of a Case of Differance depending between John Stephens, Plan^t, & Evan Davis, Def^t, from a Judgm^t given upon an apeal from Kent County Court against y^e Plant.

This Board doth finde that the said Evan Davis, Stands Indebted to y^e s^d Jno. Stephens y^e Just Sume of One Thousand & seaventy pounds of good and Marchantable Tobacco, over and above y^e Assignem^t of Stiles, his Bill of Eighteene hundred & Odd pounds of Tobacco to y^e Said Stephens, and the Obligation he is under to finish the Tobacco house of y^e s^d Stephens.

A Ship called the Mary of Southampton, Anto Pryers M^r, was by this Board called in question for being an Unfree Ship, and upon Consideration had by this Board, and Jno. Test, Prosecutor, desireing Judgm^t.

It is y^e Judgm^t of this board that there being noe Certificate that shee is a free Ship, therefore this board Condemns her as being an unfree ship and forfeited.

The Condemnation is as followed:

Information haveing been made to y^e Gov^r & Prov^l Council, that a Certaine Ship called the Marry of Southampton, lately arrived wth Passingers from Southampton in England, and now Rideing before the Towne of Philadelphia, in the Province of Pennsilvania, is a Scottish Bottom and noe ways made ffree to trade to any of his Majesty's Plantations in America, and so under y^e forfeiture Expressed in the Laws of Navigation; upon a full hearing of the Business in Council, and by the Ingenious acknowledgem^t of the Master and some of y^e Owners, and Especially by the Goulden Breif that was produced by one of them, is found to be the Alexander of Inverness, of y^e Kingdome of Scotland, And therefore the Gov^r and Prov^l Council have and doe adjudg and Condemne the said Ship as forfeited, according to Law in such Cases provided for.

Adjourned till y^e 26th 10th Mo., 83.

At a Council held at Philadelphia The 21st of the 2^d Mo., 1823.

PRESENT:

Wm. PENN, Prop, and Gov,
Thos. Holmes,
Wm. Clayton,
Wm. Haigne,
Chris. Taylor,

The Petition of Mr. Whitwell read, and upon Consideration of his allegations of Mistakes in Peter Gromedick's acco^t Ordered that unless they refer it to two Persons Indifferently Chosen, this board doth grant a rehearing, Mr. Whitwell paying the Charge thereon.

John Stephens, Pl^t }
Evan Davis, Def. } by an appeal from Kent County Court.

The Pl^t's Declaration was read and they proceeded to Tryalls. The Pl^t declared that if the Def. would swear to his acco^t, that he would allow of them.

That upon y^e hearing of a Case of Difference depending between John Stephens, Pl^t, & Evan Davis, Def^t, from a Judgm^t given upon an appeal from Kent County Court against y^e Pl^t.

This Board doth find that the said Evan Davis, stands indebted to y^e s^d John Stephens y^e Just Sum of One Thousand & seventy pounds of good and Merchantable Tobacco, over and above y^e Ass^{ts} of Siles, his Bill of Exchange hundred & Odd pounds of Tobacco to y^e said Stephens, and the Obligation he is under to finish the Tobacco house of y^e s^d Stephens.

A Ship called the Mary of Southampton, Anna Fryers M^r, was by this Board called in question for being an African Ship, and upon Consideration had by this Board, and the Test Prosecutor, desisting Judgm^t.

It is y^e Judgm^t of this board that there being no Certificate that since is a free Ship, therefore this board Condemns her as being an unfree ship and forfeited.

The Condemnation is as follows:

Information having been made to y^e Gov^t & Prov^l Council, that a Certain Ship called the Mary of Southampton, lately arrived wth Passengers from Southampton in England, and now Riding before the Towne of Philadelphia, in the Province of Pennsylvania, is a Stock-ship Bottom and not ways made free to trade to any of his Majesty's Plantations in America, and so under y^e forfeiture Expressd in the Laws of Navigation; upon a full hearing of the Matter and some of y^e Owners, and Especially by the Counsel first that was produced by one of them, is found to be the Alexander of Liverpool, of y^e Kingdom of Scotland, And therefore the Gov^t and Prov^l Council have and do hereby adjudge and Condemne the said Ship as forfeited, according to Law in such Cases provided for.

Adjourned till y^e 28th 10th Mo., 23.

At a Councill held at Philadelphia, y^e 26th of y^e 10th month, 1683.

PRESENT:

WM. PENN, Prop^{or} & Gov^r.

Tho. Holmes,

Wm. Haigue,

Lasse Cock.

Wm. Clayton,

The Gov^r and Prov^l Councill having taken into their Serious Consideration the great Necessity there is of a Schooll Master for y^e Instruction & Sober Education of Youth in the towne of Philadelphia, Sent for Enock flower, an Inhabitant of the said Towne, who for twenty Year past hath been Exercised in that care and Employ^{nt} in England, to whom haveing Communicated their Minds, he Embraced it upon these following Termes: to Learne to read English 4^s by the Quarter, to Learne to read and write 6^s by y^e Quarter, to learne to read, Write and Cast acco^t 8^s by y^e Quarter; for Boarding a Scholler, that is to say, dyet, Washing, Lodging, & Scooling, Tenn pounds for one whole year.

Antho: Pryer's Petition read; referred to y^e Law.

Adjourned till y^e 27th 10th Mo., 83.

At a Councill held at Philadelphia The 27th of the 10th month, 1683.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Tho: Holmes,

Wm. Haigue,

Lasse Cox.

Wm. Clayton,

This day Thomas Lloyd was sent for before this board, and y^e Gov^r was pleased to put him in Master of y^e Rolls, who doth Solemnly promise to officiate therein wth care and Diligence.

It being taken into the Serious Consideration of this board, the Great grevance of Tradesmen's Exaction, they have thought fitt to Issue out an Ordinnance whereby to regulate the same.

The Sherriff having brought in the Grevance of y^e People Concerning the New betts put out by Charles Pickerin, which he is to Satisfie for According to y^e Judgm^t given against him in that matter; he being asked about it, saith that he will give in Money and plate to Satisfie them.

The Petition of John Helliard read. Ordred that The Law shall have its Course.

Ordered That y^e Sherriff goe to Char: Pickering and receive as much good money, or Vallue thereof, as he hath reced of the People in bad money, and pay y^e same respectively to y^e People as he reced the other from them.

And Adjourned till y^e 16th 11th Mo., 83.

At a Council held at Philadelphia y^e 16th of y^e 11th month, 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Chris. Taylor,
Wm. Biles,
Jno. Symcock.

Lasse Cock,
Tho. Holmes,

James Harrison,
Wm. Clayton,

The Proposals of Anto. Weston wth y^e rest of y^e Persons names thereunto Subscribed were read; And the Gov^r proposes wth way to punish him, and they thought the best way was to have him Whypt.

Paul Saunders and Tho. Stephens say that Anto. Weston tould them that Jno. Songhurst, Jno. Parsons, Tho. Duckett and Others, would stand to his paper.

Antho. Weston being Examined, saith that they mett at Tho. Hootons, and there chose him to draw up Proposals to the Gov^r & Prov^l Council, wth Proposals were mended by Tho. Winn, who was re- proved for doeing of the same.

The Gov^r proposeth what to doe wth Anto. Weston: as many as would have him whypt, say yee. Past in the Affirmative.

John Stone and Tho. Dare his Servant, En^t into a recognizance of fifty pounds a peice for their good behaviour duering the Terme of his Serv^s Servitude.

Henry Comely & Geo. Sheave his Servant, Entered into a recognizance of fifty pounds a peice for their good behavior duering y^e terme of his Serv^s Servitude.

Wm. Clayton and Tho. Stephens his Serv^t, Enter into a Recognizance of fifty pounds a peice for their good behavior to the Govern^t duering y^e said Serv^s Servitude.

The Gov^r and Prov^l Council have thought fit that for the great presumption and Contempt of this Govern^t and authority, that Anto. Weston be Whypt at y^e Market place on Market daye three times. Each time to have Tenn Lashes, at 12 of the Clock at noone, this being y^e first day.

A single recognizance of fifty pounds the freemen that Subscribed to Antho. Weston's proposals, are to give for their good behavior to y^e Govern^t till such time as y^e Genall Assembly shall next sett.

Ordered That Wm. Clayton build a Cage against the next Council day, 7 foot high, 7 foot Long, & 5 foot broad.

Adjourned till y^e 17th 11th Mo., 1683.

At a Council held at Philadelphia y^e 17th of y^e 11th month, 1683.

PRESENT:

Wm. PENN Prop^r and Gov^r.

James Harrison,
John Symcock,
Chris: Taylor,

Lasse Cock,
Wm. Biles,

Wm. Clayton,
Tho: Holmes.

John Songhurst, and all his Serv^{ts}, Enter into a recognizance of fifty pounds apeice, for their good behaviour to y^e Governm^t duering y^e terme of his Serv^{ts} Servitude.

Andrew Griscome and Mathias Jewell, Enter into a recognizance of fifty pounds apeice, for their good behavior duering y^e terme of his Serv^{ts} Servitude.

The Petition of Peter Cock read.

The Question was put, whether the Law of Custome doth Last but for a year, as well as Taxes, or not.

Proposed by the Gov^r whether or no y^e People in England should not pay towards Public Charges or not, as well as those in the Province; past in the Affirmative.

All that are of Opinion That a Levie should be Laid on y^e Lott in the Citty of those psent and those absent, Say Yea; Past in y^e Affirmative.

A Law proposed to Encourage makeing of Linnen Cloth.

A Law proposed for two Sorts of Cloaths only, for Winter and Summer Wear.

A Law proposed for Young Men's Marrieing at such an age.

A Law proposed for Makeing of Severall sorts of Books, for the use of Persons in this Province.

Proposed that care be Taken about the Learning and Instruction of Youth, to Witt: a Schoole of Arts and Siences.

Adjourned till y^e 7th 12th month, 1683.

Wm. PENN, Prop^r and Gov^r.

Tho: Holmes,

Wm. Haigue,

Wm.

Chr: Taylor

Att a Councill held at Philadelphia y^e 7th 12th Mo., 1683.

PRESENT:

Wm. PENN, Prop^r & Gov^r.

Lasse Cock, Jno. Symcock,

Tho. Holmes.

Wm. Clayton,

Margaret Mattson and Yeshro Hendrickson, Examined and about to be proved Witches; whereupon, this board Ordered that Neels Matson should Enter into a Recognizance of fifty pounds for his Wiff's apearance before this board the 27th Instant, Hendrick Jacobson doth the same for his Wife.

Adjourned till the 20th 12th Mo., 83.

At a Councill held at Philadelphia y^e 20th 12th month, 1683.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Tho: Holmes,

Wm. Clayton,

Lasse Cock.

Wm. Haigue,

Wm. fframpton being Sent for before this board, his Petition was read, and it was Ordered that James Claypoole, Rob' Turner, Jno. Greene, Jno. Jones and Wm. fframpton, or any two of them, to have the Keys and to take into Possession the Estate in the hands of Jno. Vanburson, and to Inspect his acco^s in psuance of the same, and to make a returne distinktly of the said goods and acc^s to this board.

The Gov^r & Prov^l Councill have thought fitt, from the Exteriordinary in the Case, to place Patrick Robinson as administrator to Benj. Acrods Estate, and to have a recourse to this board from time to time.

Wheras, the Verdict of the Coroner's Jury was, that Benj. Acrod killed himselfe wth drinke, w^{ch} might give the Province a pretence to his Estate therin. The Prop^{or} & Gov^r Relinquished all his Claime thereunto in Councill, and desired y^e Councill to take Care that some person be appoynted to take Care of y^e Estate of y^e s^d Acrod, for y^e paym^t of his debts, and the remainder to be disposed of according to Law, &c.

Adjourned till the 21th 12th Mo., 83.

At a Councill held at Philadelphia y^e 21th of y^e 12th Mo., 1683.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Tho: Holmes,	Wm. Clayton,	Lasse Cock.
Wm. Haigue,	Chr: Taylor,	

James Claypoole, Jno. Joanes and Wm. fframpton, made their returne to this board Concerning the Estate of John Vand Borsons; Wherupon, James Claypoole & Wm. fframpton were appointed to Inspect and make up the acc^t of Jno. Vanborson, and to give an acco^t of it to this board when they have made up the Cr. & Dr.

Wm. fframpton makes a report of the referance of the Councill Concerning the Estate of Jno. Vanborson, Lately deseased.

The Prov^l Councill Ordered Wm. fframpton & Sam^l Carpenter of this Towne, March^s, to administer on y^e behalfe of y^e Creditors and Heirs of Jno. Vanborson, and to make report of what they doe therein to this board.

Adjourned till y^e 27th 12th Mo., 83.

At a Councill held at Philadelphia y^e 27 of the 12th month, 1683.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

James Harrison,	Wm. Haigue,	Wm. Clayton,
Wm. Biles.	Chris. Taylor,	Tho: Holmes.
Lasse Cock,		

The Grand Jury being attested, The Gov^r gave them their Charge, and the Attorney Genall attended them wth the presentm^t; their names are as followed:

Rob ^t Euer, foreman.	Rich. Orne,	Tho: Mosse,
Sam ^l Carpenter,	Jno. Day,	Tho: Duckett,
Andrew Griscom,	Jno. ffisher,	Denis Lince,
Benj. Whitehead,	Jno. Barnes,	Tho: Phillyps,
Jno. Barnes,	Gunner Rambo,	Tho: Millard,
Sam ^l Allen,	Enock flower,	Jno. Yattman,
Jno. Parsons,	Henr: Drystreet,	Barnaby Wilcox.

POST MERIDIEM.

The Grand Jury made their returne, and found the Bill.

Ordered that those that were absent of the Petty Jury should be fined 40^s each man.

Margarit Matson's Indictm^t was read, and she pleads not Guilty, and will be tryed by the Countrey.

Lasse Cock attested Interpreter between the Prop^{or} and the Prisoner at the Barr.

The Petty Jury Impanneld; their names are as followed:

Jno. Hasting, foreman.	Albertus Hendrickson,	Rob ^t Piles,
Rob ^t Wade,	Nath. Evans,	Edw ^d Carter,
Wm. Hewes,	Jer. Collet,	Jno. Kinsman,
Jno. Gibbons,	Walter Martin,	Edw ^d Bezac.

Henry Drystreet attested, Saith he was tould 20 years agoe, that the prisoner at the Barr was a Witch, & that severall Cows were bewicht by her; also, that James Saunderling's mother tould him that she bewicht her cow, but afterwards said it was a mistake, and that her Cow should doe well againe, for it was not her Cow but an Other Person's that should dye.

Charles Ashcom attested, saith that Anthony's Wife being asked why she sould her Cattle; was because her mother had Bewicht them, having taken the Witchcraft of of Hendrick's Cattle, and put it on their Oxon; She myght Keep but noe Other Cattle, and also that one night the Daughter of y^e Prisoner called him up hastily, and when he came she sayd there was a great Light but Just before, and an Old woman with a Knife in her hand at y^e Bedd's feet, and therefore shee cryed out and desired Jno. Symcock to take away his Calves, or Else she would send them to Hell.

James Claypoole attested Interpreter betwixt the Prop^{or} and the Prisoner.

The affidavit of Jno. Vanculin read, Charles Ashcom being a Witness to it.

Annakey Coolin attested, saith her husband tooke the Heart of a Calf that Dyed, as they thought, by Witchcraft, and Boyled it, wherupon the Prisoner at y^e Barr came in and asked them what they were doing; they said boyling of flesh; she said they had better they had Boyled the Bones, with severall other unseemly Expressions.

Magaret Mattson saith that she Vallues not Drystreet's Evidence; but if Sanderlin's mother had come, she would have answered her;

The Grand Jury being attached, The Gov. gave them their Charge and the Attorney General attended them in the presence of their counsel as follows:

Robt. Esch, Foreman,	Rich. Ome,	Thos. Moore,
Saml. Carpenter,	Geo. Day,	Thos. Docton,
Andrew Griscom,	Geo. Fisher,	Deas. Linn,
Benj. Winchard,	Geo. Barnes,	Thos. Phillips,
Geo. Barnes,	Gunner Rainbo,	Thos. Mithard,
Saml. Allen,	Knock flower,	Geo. Yarnum,
Geo. Parsons,	Henr. Drystreet,	Barnaby Wilcox.

POST MORTEM.

The Grand Jury made their return, and found the Bill. Ordered that those that were absent of the Petty Jury should find 40 each man. Margaret Watson's Indictment was read, and she pleads not Guilty and will be tried by the Country. Laase Cook attested Interpreter between the Prop. and the Prisoner at the Bar.

The Petty Jury Impanelled; their names are as follows:

Geo. Hastings, Foreman,	Albertus Hendrickson,	Robt. Pike,
Robt. Wade,	Nath. Evans,	Edw. Carter,
Wm. Hewes,	Geo. Collier,	Geo. Kinsman,
Geo. Gibbons,	Walter Martin,	Edw. Benson.

Henry Drystreet attested, saith he was told 30 years agoe, that the prisoner at the Bar was a Witch, & that several Cows were witch by her; also, that James Sanderson's mother told him that she bewitched her cow, but afterwards said it was a mistake, and that her Cow should do well againe, for it was not her Cow but an Other Person's that should dye.

Charles Ashcom attested, saith that Anthony's Wife being asked why she should her Cattle; was because her mother had bewitched the having taken the Witchcraft of of Hendrick's Cattle, and also that of their Oxen; She might keep but one Other Cattle, and also that on night the Daughter of y^e Prisoner called him up hastily, and when he came she said there was a great light but just before, and Old woman with a Knife in her hand at y^e Bed's foot, and there she cried out and desired the Symcock to take away his Cattle, that she would send them to Hell.

James Claypoole attested Interpreter betwixt the Prop. and the Prisoner.

The affidavit of Geo. Vanculin read, Charles Ashcom being a Witness to it.

Anakay Coolin attested, saith her husband took the Heart of Cattle that Dye, as they thought by Witchcraft, and Boyled it, upon the Prisoner at y^e Bar came in and asked them what they were doing; they said boiling of flesh; she said they had better they had Boyled the Bones, with several other unseemly Expressions.

also denyeth Charles Ashcom's Attestation at her Soul, and Saith where is my Daughter; let her come and say so.

Annakey Cooling's attestation concerning the Gees, she denyeth, saying she was never out of her Connoo, and also that she never said any such things Concerning the Calve's heart.

Jno. Cock attested, sayth he Knows nothing of the matter.

Tho: Balding's attestation was read, and Tho: Bracy attested, saith it is a True Coppy.

The Prisoner denyeth all things, and saith that y^e Wittnesses speake only by hear say.

After w^{ch} y^e Gov^r gave the Jury their Charge concerning y^e Prisoner at y^e Barr.

The Jury went forth, and upon their Returne Brought her in Guilty of haveing the Comon fame of a Witch, but not Guilty in manner and forme as Shee Stands Indicted.

Neels Mattson and Antho. Neelson Enters into a Recognizance of fifty pounds apeice, for the good behavior of Margaret Matson for six months.

Jacob Hendrickson Enters into the Recognizance of fifty pounds for the good behavior of Getro Hendrickson for six months.

Adjourned till y^e 20th day of y^e first Mo., 1684.

At a Councill held at Philadelphia The 20th day of the 1st month, 1684.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Jam. Harrison,
Thomas Janney,
Chris. Taylor.
Wm. Wood.

John Cann,
Tho. Holmes,
Jno. Symcock,

Wm. Welch,
Tho. Lloyd,
Wm. Clayton,

Tho. Lloyd, Wm. Clayton, Tho. Janney, Wm. Welch, Jno. Cann and Wm. Wood, attested to Keep Secret the Debates in Council, &c.

Complaint being made to this board of a Notorious Robbery comitted on the goods of hannah Saulter, this board was pleased to Issue out a Proclamation for apprehending & Secureing of Such Persons if found in this Province or Territories, or Elsewhere.

Ordered that y^e first thing to be done to-morrow be the Running over the Old Laws.

Adjourned till y^e 21st 1st Mo. 84.

At a Councill held at Philadelphia the 21th of y^e 1st Mo, 1684.

PRESENT:

W^m. PENN, Prop^r and Gov^r.

Wm. Welch,	Tho. Holmes,	James Harrison,
Tho. Lloyd,	Jno. Symcock,	Chr. Taylor,
Tho. Janney,	John Caun,	Wm. Clayton,
Wm. Wood.		

A Debate was held Concerning y^e Genall Assembly Sitting at the Towne of New Castle: at Last the Result was that they should Sitt there.

Ordered that two Letters be sent to Kent & Sussex Countyes, Concerning the meeting of y^e Genall Assembly, to be held at New-Castle on the 10th 3^d Mo., 84.

Wm. Clayton desiring Leave to goe to upland & returne on second day, it was granted him.

Adjourned till y^e 24th 1st Mo. 84.

At a Councill held at Philadelphia y^e 24th of y^e 1st Mo. 1684.

PRESENT:

W^m. PENN, Prop^r and Gov^r.

Wm. Clark,	Wm. Clayton,	Luke Watson,
Tho. Janney,	John Cann,	Jno. Symcock,
Tho. Lloyd,	Wm. Welch,	Chr. Taylor,
Tho: Holmes,	Ja. Harrison,	Wm. Wood.

They proceeded to have y^e Old Laws read Over, and to make remarks on them.

A Comittee was appointed to Inspect the Margenall notes upon the Old Laws, Viz: Tho: Holmes, Wm. Welch, Tho: Lloyd; which Comittee will make their report to morrow morning.

The Laws Ordered to be drawn Out wth the reasons & Preamble, And then they pceeded to make an Inspection into y^e bills made at Upland.

The Comittee brought in a Bill for Constituteing an Other Councill for State's Matters.

Upon w^{ch} there was a great debate, & at Last it fell.

The Same Comittee Appointed to draw up all the Laws as amended and agreed; also to draw up these news Laws.

Adjourned till y^e 26th 1st Mo., 84.

At a Councill held at Philadelphia The 26th day of y^e 1st month, 1684.

PRESENT:

WM. PENN, Prop^r & Gov^r.

Wm. Clarke.	Tho: Janney,	Chr. Taylor,
Tho. Holmes,	Luke Watson,	Tho. Lloyd,
Wm. Welch,	Wm. Clayton,	Jno. Cann,
Jno. Symcock,	Ja: Harrison,	Wm. Wood.

A Bill read Concerning the Laws made at Upland, alias Chester, to be Continued wth y^e Preamble to y^e s^d Laws.

A Bill read Concerning repealing or Varring any of the those Laws made at Upland & Philadelphia.

A Debate was held when the Laws should be in force.

Resolved, till 20 days after the riseing of y^e genall Assembly, by Publishing them the first Court day after y^e Riseing of y^e s^d Assembly, Except those that have not times Set them.

A Bill read Concerning fines & measures, Printing, Promulgateing of the Laws, wth are repealed.

A Bill read where in Cases requires Strypes, and they r x not mentioned, that they shall not Exceed One and twenty Strypes.

A Bill was read, that it should be Left to y^e Gov^r and Prov^l Council to discourse wth y^e Indians concerning an agreem^t wth them about letting them have Rum.

The Gov^r put y^e Quest: All That are of Opinion that y^e foregoeing Bills should pass, say Yee; Past in y^e Affirmative.

A Bill was read Concerning Strong & Small Beer, mixt or unmixt, Bottled or not Bottled.

The Quest. being put, past in y^e Affirmative.

A Bill read Concerning registering of Freeman and Serv^{ts}, being put to y^e Quest; past in y^e Affirmative.

A Bill read against Bargains made when People are in Drinke: y^e Question being put, past in y^e Affirmative.

A Bill read Concerning Marriage, wth amendm^{ts} & additions: put to y^e Quest., was past in y^e Affirmative.

A Bill read Concerning Arests, Speciall Courts, and arresting any psons in any County where he shall be found: Quest: being put, past in y^e Affirmative.

A Bill was read Concerning causes to be Tried by y^e County Sessions: Quest: being put, was past in Affirmative.

A Bill was read for Three appraisers, to be chose by the County Court upon Severall occasions, and y^e Goods not to be sould under seaven dayes after appraisim^t, and that they shall be publicly sould: Quest: being put, past in y^e Affirmative.

A Bill read to Suppres Ordinary Keepers: Quest: put; past in Affirma.

A Bill read Impowring the Justices of Each County Court to set y^e Wages of Workmen & Serv^{ts}, wth a Penalty: Quest: put; past in Affirma.

A Bill read for hemp & flax, Linnen & Wool, on Cloth. Linnen & Woollen Cloth to have a price set upon it by y^e County Court, y^e hempt at 5^d the pound, and y^e flax at 8^d p pound: Quest: put; past in y^e Affirma.

A Bill read for Every man That is three years Seated to Sow a Bushell of Barley: Quest: put, Past in the Affirmative.

A Bill for a Prov^l Court, Consisting of five Judges, to goe two Cirquits Yearly. Quest: put; past in the Affirmative.

A Bill read for y^e Conclusion of y^e Laws. Quest put; past in Affirma.

A Bill read that noe Person depart this Province if arrested, till Bail be given. Quest: put; past in y^e Affirmative.

The Gov^r desired to have y^e Councill always wth him, w^{ch} is nine. The Gov^r also desired that a Bill may be drawn up that this Towne of Philadelphia might Chose One more Councillor, Bucks One, & Chester One; Otherwise that y^e Councill must be Constant, Or make a Bill to allow the Gov^r to Chuse him a Councill upon all occasions, it being also a great Kindness to y^e Countrey.

A Bill also to be drawn to Enlarge y^e Councill; that is, to double the number in the Town & County of Philadelphia, made soe as according to Letters Pattents.

Put to y^e Quest; past in y^e Affirmative.

Tho: Lloyd appoynted to Draw the Bill.

Adjourned to y^e 27th 1st Mo., 84.

At a Councill held at Philadelphia y^e 27th 1st Mo., 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho: Holmes,	Chr: Taylour,	Jno. Cann,
Wm. Clark,	Luke Watson,	Tho: Janney,
Jno. Symcock,	Jam. Harrison,	Wm. Wood,
Wm. Welch,	Wm. Clayton,	Tho: Lloyd.

Wm. Welch proposed a Bill to be drawn to defray the Gov^r Table.

Put to y^e Question: All that are of Opinion that y^e Charges of y^e Governm^t shall be defrayed by y^e People of y^e Governm^t say yee. Past in the Affirmative.

ADJOURNED INTO A COMMITTEE.

THO. LLOYD, Chairman.

Proposed whether the Law w^{ch} was made for y^e raising of a Tax should be Continued, or the Method of it for Import or Export.

Put to the Vote, & past in the Affirmative.

And whether y^e s^t Customs shall be a part of y^e Money raised towards the Suporting y^e Governm^t.

Past in y^e Affirmative.

Ordered That a Pole Proportionably Layd, be debated y^e first thing to morrow, for defraying the rest of y^e Charges of y^e Governm^t.

Adjourned till y^e 28th 1st Mo., 84.

A Bill read for hemp & flax, Linnen & Wool, on Cloth. Linnen & Woolen Cloth to have a price set upon it by y^e County Court. y^e hemp at 6^d the pound, and y^e flax at 8^d p pound: Quest: put in y^e Affirmative.

A Bill read for Every man That is three years Seated to Sow a Bushell of Barley: Quest: put in the Affirmative.

A Bill for a Prov^e Court, Consisting of five Judges, to goe two Circuits Yearly. Quest: put in the Affirmative.

A Bill read for y^e Conclusion of y^e Laws. Quest put in Affirmative.

A Bill read that noe Person depart this Province if arrested, till Bail be given. Quest: put in y^e Affirmative.

The Gov^t desired to have y^e Council always wth him, w^{ch} is nine.

The Gov^t also desired that a Bill may be drawn up that this Towne of Philadelphia might Chose One more Counsellor, Backs One, & Chester One; Otherwise that y^e Council must be Constant. Or make a Bill to allow the Gov^t to Chose him a Council upon all occasions, it being also a great Kindness to y^e Country.

A Bill also to be drawn to Enlarge y^e Council; that is, to double the number in the Town & County of Philadelphia, made soe as according to Letters Patents.

Put to y^e Quest: put in y^e Affirmative.

The: Lloyd appointed to Draw the Bill.

Adjourned to y^e 27th 1st Mo^o, 84.

At a Council held at Philadelphia y^e 27th 1st Mo^o, 1684.

PRESENT:

W^m. PENN, Prop^r and Gov^r.

Thos: Holmes,

Chr: Taylor,

Jas: Cann,

W^m. Clark,

Luke Watson,

Thos: Jannery,

Jas: Symcock,

Jam: Harrison,

W^m. Wood,

W^m. Welch,

W^m. Clayton,

Thos: Lloyd.

W^m. Welch proposed a Bill to be drawn to defray the Gov^r Table.

Put to y^e Question: All that are of Opinion that y^e Charges of y^e Government shall be defrayed by y^e People of y^e Govern^t, say yea.

Put in the Affirmative.

ADJOURNED INTO A COMMITTEE.

Thos: Lloyd, Chairman.

Proposed whether the Law w^{ch} was made for y^e raising of a Tax should be Continued, or the Method of it for Import or Export.

Put to the Vote, & put in the Affirmative.

And whether y^e Customs shall be a part of y^e Money raised to wards the Supporting y^e Govern^t.

Put in y^e Affirmative.

Ordered That a Vote Proportionally Layd, be debated y^e first

At a Council held at Philadelphia y^e 28th 1st Mo., 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Wm. Welch,	Tho: Holmes.	James Harrison,
Luke Watson,	Wm. Clark,	John Symcock,
Wm. Clayton,	Chr: Taylor,	Wm. Wood,
Jno. Cann,	Tho. Lloyd,	Tho: Janney.

Wm. Welch Ordered to bring a Bill for the raising of a Tax for the Support of y^e Governm^t, and returne it to this board.

Tho: Lloyd makes a report to y^e Gov^r Council, that y^e Committee y^ech he was of had finished that w^{ch} they were about, and intend to bring in a Bill to morrow Morning; also, they have agreed that Tho. Lloyd should draw up the remainder of y^e Bills and make a returne hereof.

A Bill was read Concerning Three Members to be Chose for y^e Council, & Six for the Assembly, for y^e Citty of Philadelphia. Question put; past in y^e Affirmative.

Sam^l Carpenter's Judgm^t towards rayseing of a Tax upon Liquors. Viz: upon Brandy 12^d y^e Gall; Beer, Ale, Mum, Spanish Wine, 5^d p. Gall; Medera, Each Pipe 50s; french Wine 4L. p. Tunn, & Give in this way 1000L. by way of Customs upon goods, is his best advise.

The Gov^r put y^e Quest: all that are of Opinion that Customs shall be put upon Liquors, and that all Rum, Brandy, Wines, & all sorts of strong Liquors & Spirits under y^e same head, Imported, shall pay 2d. p Gall, say Yee. Past in Affirmative.

All that are of Opinion that all Strong beer & Cyder shall pay 2^d p. Gall, Imported, say yee. Past in Affirmative.

All that are of Opinion that for not due Entry, that y^e Law for Abogateing of y^e Law shall make all the Goods a forfeiture, say yee. Past in the Affirmative.

Adjourned till y^e 29th 1st Mo., 84.

At a Council held at Philadelphia y^e 29th of y^e 1st Mo., 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Wm. Welch,	Luke Watson,	Wm. Clark.
Jno. Cann,	Jno. Symcock,	Tho. Lloyd,
Tho. Janney,	Chr. Taylor,	Ja. Harrison,
Tho: Holmes,	Wm. Wood,	Wm. Clayton,

A Bill was read Concerning Members to be Chosen for y^e Citty of Philadelphia; read a Second reading.

A Bill read that Councillors neglecting their duty, that Others may be Chose to serve in their roome. Read a first reading.

At a Council held at Philadelphia 7th 28th 1st Mo., 1684.

PRESENT:

Wm. Penn, Prop ^r and Gov ^r .	Wm. Welsh,	James Harrison,
Luke Watson,	Tho: Holmes,	John Symcock,
Wm. Claydon,	Wm. Clark,	Wm. Wood,
Jno. Cann,	Chr: Taylor,	Tho: Jannay,
	Tho: Lloyd,	

Wm. Welsh Ordered to bring a Bill for the raising of a Tax for the Support of y^e Government, and returne it to this board.
 Tho: Lloyd makes a report to y^e Gov^r Council, that y^e Committee was of had finished that they were about, and intend to bring in a Bill to morrow Morning; also, they have agreed that Tho: Lloyd should draw up the remainder of y^e Bills and make a returne thereof.

A Bill was read Concerning Three Members to be Chosen for y^e Council, & Six for the Assembly, for y^e City of Philadelphia. Question put; past in y^e Affirmative.

Sam^r Carpenter's Judgment towards raising of a Tax upon Liquors. Viz: upon Brandy 12th y^e Gall; Beer, Ale, Mum, Spanish Wine, &c. p. Gall; Meadera, Each Pipe 50s; French Wine 4th p. Tunn, &c. Give him this way 1000^l. by way of Customs upon goods, is his best advice.

The Gov^r put y^e Quest: all that are of Opinion that Customs shall be put upon Liquors, and that all Rum, Brandy, Wine, & all sorts of strong Liquors & Spirits under y^e same head, Imported, shall pay 12th p. Gall, say Yee. Past in Affirmative.

All that are of Opinion that all Strong beer & Cyder shall pay 2th p. Gall, Imported, say Yee. Past in Affirmative.

All that are of Opinion that for not due Entry, that y^e Law for Abrogating of y^e Law shall make all the Goods a forfeiture, say Yee. Past in the Affirmative.

Adjourned till 7th 29th 1st Mo., 84.

At a Council held at Philadelphia 7th 29th of 1st Mo., 1684.

PRESENT:

Wm. Penn, Prop ^r and Gov ^r .	Wm. Welsh,	Wm. Clark,
Luke Watson,	Jno. Symcock,	Tho: Lloyd,
Jno. Cann,	Chr: Taylor,	Jas. Harrison,
Tho: Jannay,	Wm. Wood,	Wm. Claydon,
Tho: Holmes,		

A Bill was read Concerning Members to be Chosen for y^e City of Philadelphia; read a Second reading.
 A Bill read that Councilors neglecting their duty, that Others may be Chosen to serve in their room. Read a first reading.

Ordered that y^e Bill of Customs be read on y^e second day next; referred to Wm. Welch to draw up.

Adjourned till 31th 1st Mo., 84.

At a Councill held at Philadelphia The 31th day of y^e 1st month, 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Wm. Welch,	Jno. Cann,	Jam: Harrison,
Wm. Clayton,	Luke Watson,	Tho. Janney,
Wm. Clark,	Chr: Taylor,	Tho. Holmes,
Tho. Lloyd.		

Wm. Welch Brought in y^e Bill of Custom; which was read a first reading.

Ordered a Second reading this night.

A Bill read Concerning Bargains made in Drinke.

Read a Second reading.

A Bill Concerning Steeling Cattle, good, or Rayment, Ordered to be drawn by Tho. Lloyd.

A Bill read Concerning Exportation of deer Skinns; read a Second reading.

Ordered that y^e Last reading of the Bill of Customs be read to-morrow morning.

The Petition of Sam^l Hersent was read, Concerning y^e finishing of y^e Prison.

He is referred to y^e Justices of y^e County Court.

A Bill Concerning Steeling of Cattle read a first reading; past in the Affirmative.

A Bill was drawn Concerning Our Govern^{mt} Joyning wth West Jarsey, for all Warrants to apprehend all Persons by Law punishable. Ordered to be read to-morrow morning.

Tho. Lloyd & Wm. Welch Ordered to draw two Bills into One, Concerning the Preservation of y^e Prop^r & Gov^r, & his houshold.

Adjourned till 1st 2^d Mo., 84.

At a Councill held at Philadelphia y^e 1st of y^e 2^d Mo., 84.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Wm. Welch,	Tho. Lloyd,	Wm. Clayton,
Tho: Holmes,	Chr: Taylor,	Wm. Wood,
Jno. Cann,	Jam: Harrison,	Wm. Clarke,
Lu: Watson,	Tho. Janney,	Jno. Symcock,

Charles Pickerin being Sent for before this Board, Declares he heard most of y^e People of y^e County of Kent's Passages, and read the

Answers which they gave to Baltimore People: Also, he Suspect most of them are resolved to revolt, because Gov^r Penn hath broken his Promise, by not Entring and Clearing y^e Vessells at New Castle: Also, if they doe it, Baltimore will Stand by them.

Jno. Richardson, Tho. Heather & Tho. Wilson, made a Complain against this Govern^t, & made their address to y^e L^d Baltimore, that they were Taxt to much; he Thinks francis Whitwell and Jno. Hilliard are psuaded to the rest.

Jno. Richardson's Land was sued for in Maryland.

The Bill Concerning the Union between us and West Jarsey, to have Liberty to psecute Offenders in y^e s^d West Jarsey, was read and Left to a Treaty with Them.

A Bill to Prosecute Persons That put Water into Rum, &c., was read, & past y^e first reading in y^e Affirmative.

A Bill read Concerning Persons Chose to serve in Prov^l Councill, y^t if they doe not serve in their Stations, or Persons of Ill fame, to be fined forty Shillings a day.

Read a Last reading; past Nemine Contradicente.

The Preamble read, wth The additionall Laws.

Three Bills read a Last reading and past Unanimously.

A Bill read Concerning y^e Price of all Beer; past the Last reading Unanimously.

A Bill of Registry read a Last reading and Past Unanimously.

A Bill about Drunken Bargains being made Voyd, past y^e Last reading Unanimously.

A Bill about Steeling Liveing or dead goods past a Last reading Unanimously.

A Bill about Marriage past a Last reading Unanimously.

A Bill about arests, by proveing his debt and takeing him in any County, and Concerning Members of Prov^l Councill and Assembly not to be arested before such time allowed them; Past a Last reading Unanimously.

A Bill that all fines & Taxes to be Assessed by distress of goods; also, the Court to Set Workmen's Wages; Past a Last reading Unanimously.

A Bill that flax, hempt, Linnen & Woolen Cloth, of y^e Produce of this Countrey, to goe as Currant pay; Past a Last reading Unanimously.

A Bill for sowing Barley past a Last Reading Unanimously.

A Bill that Every Court of Justice shall be a Court of Equity as well as Law; also, a Prov^l Court for Quarter Sessions; past a Last reading Unanimously.

Put to y^e Question: All that are of Opinion that there shall be a Prov^l Court, Consisting of five Judges, to Try all Criminalls & Titles of Land, and to be a Court of Equity, to deside all Differences upon appeals from the County Courts, say yee. Past in y^e Affirm: Nemine Contradicente.

A Bill to Establish Apraisers in Each County, Past a Last reading Unanimously.

A Bill about Ordinary Keepers &c., past a Last reading Unanimously.

A Bill about Deer Skins not to be Exported till first put to Sale ;
Past a Last Reading Unanimously.

A Bill for y^e Continuance of y^e Laws ; past a last reading Unanimously.

A Bill of Customs read a Last reading ; past Unanimously.

A Bill for the Preservation of y^e Govⁿ Person ; past a last reading Unanimously.

Ordered that the seeing to the Bills fairly to be transcribed and Examined by the Originalls, be referred to Tho: Lloyd, Wm. Welch, Tho: Holmes, and Wm. Clark. The same Committee to draw up Orders for this board for preparing, proposing & Resolving, against their next Meeting.

Put to y^e Question: all that are of Opinion that y^e Genall Assembly shall meet at New Castle for this time, say yee; past in the Affirmative.

Adjourned till y^e 2^d 2^d Mo., 1684.

At a Councill held at Philadelphia The 2^d of y^e 2^d month, 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Wm. Welch,	Jno. Symcock,	Tho. Janney,
Tho: Holmes,	Wm. Wood,	Wm. Clayton,
Jam. Harrison,	Jno. Cann,	Tho: Lloyd,
Wm. Clarke,	Luke Watson,	Chr: Taylor.

A Bill Concerning Lands, Corne, beef, Pork, Tabacco, Hides, &c. to goe for Currant pay ; past Nemine Contradicente.

Ordered that there be an exact Acc^t Kept of the members of Prov^l Councill, that yearly goe of and Yearly are Chosen to serve there in.

Ques^t put: all that are of opinion that halfe of an Intestate's Estate shall goe to y^e Wife, say yee.

Past in y^e Affirmative, that she shall have no more.

All that are for having Intestate's Estates devided Equally, provided the Eldest Sonn shall have halfe of y^e reall and Personall Estate, and y^e rest to be devided Equally amongst the rest of the Children, say yee: past in Affirmative.

A Bill to Limitt the Disposall of Estates read a Last reading: Past in the Affirmative.

Ordered that James Harrison, Wm. Welch, Jno. Symcock and Jno. Cann, goe to Kent County wth a boat and good attendance, to know what the reasons is that Francis Whitwell, Jno. Hilliard & Jno. Richardson, doe not Come up to Councill to give their attendance.

A Commission Ordered to be drawn from this Board, under the Govⁿ hand and Seale, he haveing heard of some Misdemeanors in Kent County, to Impower Wm. Welch, &c.

You of this Board that are of Opinion that y^e Gov^r shall draw up

a Comission in behalfe of himself and this board, and also draw up Instructions in Order to the same, say yee: past Nemine Contradicente.

Adjourned till y^e 3^d 2^d Mo., 84.

At a Councill held at Philadelphia The 3^d day of y^e 2^d Mo., 1684.

PRESENT :

Wm. PENN, Prop^{or} and Gov^r.

Tho: Holmes,	John Cann,	Wm. Wood,
Jam: Harrison,	Wm. Welch,	John Symcock,
Tho: Janney,	Tho: Lloyd,	Luke Watson.
Wm: Clayton,	Chris: Taylor,	

The Comission wth Instructions for Wm. Welch, &c. was read by the Gov^r for them to Act after.

Wm. Clayton, Wm. Wood, Chr. Taylor, Tho. Holmes & Tho. Lloyd, Ordered to Stay with & attend y^e Gov^r.

All that are of Oppinion that y^e Gov^r shall appoint some distinction for the Councillors, say yea: past Nemine Contradicente.

It is Left to y^e Gov^r in a Small Councill, to send Agents to York Concerning y^e Publick affairs of this Province; and also to acquaint the Gov^r of York of the abuse of the L^d Baltimore's Agents.

Adjourned till y^e 7th 2^d Mo., 84.

At a Councill held at Philadelphia y^e 7th of y^e 2^d Mo., 1684.

PRESENT :

Wm. PENN, Prop^{or} and Gov^r.

Chr: Taylor,	Jno. Hilliard,	fran: Whitwell,
Jam. Harrison,	Wm. Clark,	Tho. Holmes,
Jno. Symcock,	Wm. Clayton,	Tho. Lloyd,
Luke Watson.		

The Gov^r desired to know what is best to doe, they haveing heard Wm. Welch & Abra. Mans' Letters.

Francis Whitwell Informes y^e Councill that y^e Lord Baltimore's Comiss^r Murfey, was at Wm. Darvall's, Jno. Richardson's, Jno. Brigg's, Tho. Heather's houses; also, Jno. Hilliard Saith he heard the same.

Ordered that the Clarke take it under franc. Whitwell's & Jno. Hilliard's hand, that the Gov^r of New York Ordered them to Stand to the Duke's Intrest.

The Question was put whether any One should be sent to the Lord Baltimore, to acquaint him of the Coll. Talbot's Unmill. Actions; also, of Marfey's, in the Lower Countyes: past in y^e affirm.

Resolved, that orders be sent to Wm. Welch for the Removall of the forceable Entrey of the L^d Baltimore, and to Prosecute the Persons Legally; also, to have some things Copied Out of y^e Duke's Laws, and sent him.

Ordered that some Persons goe to y^e Lower Countyes to Settle y^e minds of y^e people.

Question was put: all that are of Opinion that they w^{ch} goe downe to Assist Wm. Welch, shall take a Coppy with them of Gov^r Penn's Answer to y^e Lord Baltimore's Demand, and that One or two more goe along with them that Live there. Past Nemine Contrad.

Jno. Hilliard also declared he heard Wm. Darvall forbid the People to pay Taxes to Gov^r Penn.

Ordered, that noe One goe to the Lord Baltimore till such time as y^e members of this County, with the memb^{rs} of y^e Lower Countyes, have been to Inspect the Transactions of the Lord Baltimore There.

Adjourned till y^e 8th 2^d Mo., 84.

At a Councill held at Philadelphia y^e 8th of y^e 2^d Mo., 1684.

PRESENT :

WM. PENN, Prop^r and Gov^r.

Tho. Lloyd,	Jam. Harrison,	fran. Whitwell,
Wm. Clayton,	Jno. Symcock,	Jno. Hilliard,
Wm. Clark,	Luke Watson,	Wm. Woods.

Question was put by y^e Gov^r whether Talbot should, as a Quiet Traveller, pass the Contrey, or be Taken hold of for his Actions at New Castle.

Ordered, that a Proclamation be Issued out to apprehend those who made Violation into this Contrey, as y^e Gov^r shall see occasion.

Adjourned till y^e 10th 3^d Mo. 84.

At a Generall Assembly held at New Castle, for the Province of Pennsylvania & Territories thereunto Belonging, The 10th day of the Third month, 1684.

PRESENT :

WM. PENN, Prop^r and Gov^r.

Tho. Lloyd,	Tho. Holmes,	Tho. Janney,
Jno. Symcock,	Wm. Welch,	Wm. Clayton,
Chris. Taylor,	Ja: Harrison,	Jno. Cann,
Wm. Southersby,	Jno. Hilliard,	Wm. Wood.

Adjourned to y^e Assembly for halfe an hour, and then returned againe.

These Returnes were brought by y^e respective Sherrifs this day, Viz: Philadelphia, Chester, New Castle, Kent and Sussex.

The Gov^r Informes the Councill that he had Called the Indians together, and proposed to them to Let them have rum if they would be Contented to be punished as y^e English were; which they did agree to, provided that y^e Law of not Selling them Rum be abolished.

The Assembly attended this board & presented a Speaker, which was Nicholas Moore, &

Adjourned till the Afternoone.

POST MERIDIEM.

The Gov^r Ordered the two Comiss^{rs} that went to York to give an acco^t of y^e affair they went theither about, w^{ch} accordingly they did.

The Clark of y^e Councill was sent with a Coppy of y^e Bills and a Coppy of y^e Charter, to the Assembly.

Adjourned till y^e 12th 3^d Mo., 84.

At a Councill held at New-Castle y^e 12th of y^e 3^d Mo., 1684.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Wm. Welch,	Edw ^d Southrin,	Wm. Wood,
ffran: Whitwell,	Tho: Lloyd,	Jno. Symcock,
Luke Watson,	Jno. Hilliard,	Tho: Janney,
Wm. Southersby,	Wm. Clayton,	Tho. Holmes,
Christ. Taylor,	Edm ^d Cantwell,	Jno. Cann,
Wm. Haigue,	Jam: Harrison,	Wm. Clark.

Wm. Welch desired that a Committee may be appointed to meet any of y^e Assembly men to Informe Concerning the Laws and to receive proposalls from y^e Assembly, in relation to the Bills already prepared.

A Committee was appointed, Viz: Tho. Lloyd. Wm. Welch, Jam: Harrison, Jno. Cann, Tho: Holmes.

Ordered that a Bill be drawn to amend the Law Concerning Registry.

Also, that a Proclamation be Issued Out to give a Longer time to Record their Pattents.

Ordered that y^e Clark acquaint the Assembly that a Committee is appointed by the Gov^r & Councill, to receive any amendm^{ts} or Alterations in the Publisht Bills, according to Charter.

Adjourned till y^e Afternoone.

POST MERIDIEM.

The Petition of Evert Hendricks read. Ordered, that he be referred to y^e County Court of New Castle.

The Petition of Mathias Mathiason read; he is referred to y^e County Court of New Castle.

Also Williams' Petition read. She is advised to make the Business up between themselves; Other ways to have it Tryed by the County Court.

Adjourned till y^e 13th 3^d Mo., 84.

At a Councill held at New Castle The 13th day of The Third Mo., 1684.

PRESENT :

WM. PENN, Prop^r and Gov^r.

Chr. Taylor,	Wm. Southersby,	John Symcock,
Tho. Lloyd,	Wm. Clayton,	Luke Watson,
Jno. Cann,	Tho: Holmes,	Wm. Wood,
Jam: Harrison,	Tho: Janney,	fran. Whitwell,
Edm ^d Cantwell,	Wm. Welch,	

Andrew Johnson, Pl., }
Hance Peterson, Def^r. }

There being a Difference depending between them, the Gov^r & Councill advised them to shake hands, and to forgive One another; and Ordered that they should Enter in Bonds for fifty pounds apiece, for their good abearance; wth accordingly they did. It was also Ordered that the Records of Court Concerning that Business should be burnt.

Peter Bawcum makeing Complaint for his fees, Ordered That Phil: Lemane Write a Letter to y^e Justices of the Peace of Kent County, to see that Peter Bawcum have his Just fees due to him.

Ordered that Tho. Lloyd, Chr: Taylor, Jno. Symcock, Luke Watson, Edm^d Cantwell, fran. Whitwell attend y^e Gov^r the Ensueing month, from the Riseing of the Genall Assembly.

Ordered That Wm. Welch, Tho: Holmes, James Harrison, Wm. Wood, Wm. Clark & Wm. Southersby, attend the Gov^r the Second month after the Riseing of y^e Genall Assembly.

Ordered That Tho: Janney, Jno. Cann, Wm. Haigue, Wm. Clayton, Edw^d Southrin & Jno. Hilliard, attend y^e Gov^r y^e 3^d Month after y^e rising of the Gnall Assembly.

Peter Bawcum declareth that Wm. Darvall denyed him a Warr^t to seize Murfey, the Lord Baltemore's Agent.

Adjourned till y^e 14th 3^d Mo., 84.

At a Councill held at New Castle The 14th of y^e 3^d month, 1684.

PRESENT :

WM. PENN, Prop^r and Gov^r.

Chris: Taylor,	Jno. Cann,	Tho: Lloyd,
fran. Whitwell,	Tho: Janney,	Wm. Wood,
Jno. Symcock,	Wm. Welch,	Wm. Southersby,
Edm ^d Cantwell,	Wm. Clayton,	Jam: Harrison,
Tho: Holmes,	Luke Watson,	

The Sense of y^e Gov^r is, that y^e Assembly ought to have their full time of Eight day to peruse the Bills to be past into Laws Observed.

Quest: Whether the Sessions of y^e Genall Assembly may be determined within nine days, without Violation of Charter; also, whether

the Gov^r and Council can dismiss the Gnall Assembly before the Terme of Eight days, they haveing dispatcht the Buisness proposed to them by y^e Gov^r & Council provided they desire it; past in the Affirmative.

Adjourned till Afternoone.

POST MERIDIEM.

Wm. Clark Sent a Letter to y^e Gov^r and Council, which was at- tested by severall of y^e Council & Assembly, of his Illness; where- upon he was Excused.

Question was put, whether y^e Memb^rs absent should be fined five Shilling a Day for not appearing now in Council, and also at y^e Pre- paring of y^e Bills, Say yee: Past in y^e Affirmative.

All that are of Opinion that they shall pay it without remission, Except they can give a good reason to y^e Contrary, Say yee; past in the Affirmative.

Quest: put, whether the Sherriff Shall not be writ to for to Levie the Goods & Chatles of y^e members Absent for y^e paying y^e five Shillings a day for their Neglect, Say yee; past in the Affirmative.

Adjourned till y^e 15th 3^d Mo., 84.

At a Council held at New Castle the 15th of the 3^d month, 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Wm. Welch,	Wm. Southersby,	Luke Watson,
Tho: Holmes,	Tho: Janney,	Chris: Taylor,
Tho: Lloyd,	Jno. Cann,	Jam: Harrison,
Edm ^d Cantwell,	Wm. Wood,	Wm. Clayton.
Jno. Symcock,		

Two Members of y^e Assembly were sent to the Council to know if the Comittee of the Council were ready to receive their proposalls: they were answerd they had been ready Ever since Eight in y^e Morn- ing.

Adjourned for two hours into a Comittee before appointed.

Agreed by the Assembly That a Coppy of their amendm^t be left wth y^e Clark of y^e Council; also, they desire the Laws to Runn the Gov^r & Prov^l Council.

The Comittee Informes the Assembly that the Gov^r hath Power in the Charter to Chuse Judges Dureing his Life.

Quest: by the Assembly, whether all Laws Constituted to hold from a Certaine Time can be without y^e Consent of the Assembly.

Quest: whether in y^e Bill for y^e Preservation of y^e Gov^rs Person, Compass or Endeavour be not Sufficient, and Imagine, Intend or De- vise; and likewise to Continue these Words, Writeing, Printeing, or

Acting, Only Speaking to be obmitted; and that two or more Witnesses should be to the Conviction of a Person to one and the same Act; The Word Otherwise to be left Out.

The Assembly agree to the Word Maintaining of the Gover^r Instead of Imposition; also, to ad to y^e same bill, not being of the Naturall growth of the Province, nor any part thereof nor is nor are Exported from other Parts.

The Words Imported into any Parts to be raced Out, and that noe One shall goe on board to Rumage the Shipp before the goods are delivered on Shore.

The fifth Parragraph to runn after their amendm^s, y^e Word Proprie^r to be put out of y^e Bill of Excise, and Wm. Penn put in.

Breaking open doors to be raced Out, and by due course of Law to be put in.

In the Seaventh Paragraph & 7th Line thereof, to be them as in their Amendm^s; the 10 Line also to be Altered; the 9th Paragraph; the 8 Line to be raced Out.

Adjourned till Afternoone.

POST MERIDIEM.

Jos. Growdon and Jno. White came from the Assembly wth some Proposals for amendm^s, Viz:

Quest. Put, whether the Bill to have five Prov^l Judges Chose by y^e Govern^r & Prov^l Councill to Stand as formerly it did, say yee; past in y^e Affirmative.

Abram May and Francis Fincher Came from y^e Assembly, desiring other Amendm^s.

Quest. put, all that are for having the Word Excise instead of Imposition, say yee; past in Affirmative.

All that are for haveing the Tax upon Rum and other Liquors to goe by the name of Publick Aid, Say yee: past in Affirmative.

Ordered that four of y^e Members of this board acquaint the Assembly of their Breach of Priviledge, and that they send their amendm^s in short, and reprove henry Stretcher for being dis Ordered in Drink.

Adjourned till y^e 16th 3^d Mo., 1684.

At a Councill held at New Castle y^e 16th of y^e 3^d Mo., 1684.

PRESENT:

Wm. PENN, Prop^r and Gov^r.

Wm. Welch,

Ja. Harrison,

Wm. Clayton,

Edm^d Cantwell,

Tho: Lloyd,

Jno. Cann,

Wm. Wood,

Ch. Taylor,

Wm. Southersby,

Tho. Janney,

Tho: Holmes,

Luke Watson,

Jno. Symcock.

The Gov^r Entred into a Conferance wth y^e Assembly, and they accepted of Objections of the Gov^r and Council upon Amending their proposalls.

Adjourned till Afternoone.

POST MERIDIEM.

francis Whitwell was sent for by the Messenger of the Council, to appear and give reasons why he was absent two days: he sends word he is not able to Come; Whereupon he is Excused.

Quest. put: all that are of Opinion that the Bill of Excise shall be drawn, Say yee: Past in Affirmative.

All that are of Opinion that a Bill shall be drawn, wth y^e Proposals of Amendm^t put in, Say yee: Past in the Affirmative.

And that the Act to be Called publick Aid, by way of Defraying the Publick Charge of y^e Governm^t, to be pay^d to the Collect^r by a Warrant from the Gov^r and Council, say yee: Past in the Affirmative.

All that are of Opinion, that Wm. Welch should draw the Bill, say yee, to be brought in to morrow morning: Past in the Affirmative.

The Speaker of the Assembly, wth Jos: Growdon and Jno. White, Members thereof, attended this board wth y^e proposall of Amendm^t more at Large, their Clarke having made a mistake before.

The Gov^r Informed the Council, that harman & Moll had Each of them two or three Pattents from Baltemore.

The Proposes to make an address from the Body of y^e Governm^t to the King & Duke, Concerning Allarms & Building forts, to the Amazem^t of the People.

And also his giving away the Souldiers' Lands, who Took the Place.

francis fincher & Jos. Gowdon were Sent to be Informed Concerning repealing the Old Laws.

Adjourned till y^e 17th 3^d Mo.. 84.

At a Council held at New Castle y^e 17th 3^d Mo., 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho. Lloyd,
Tho. Holmes,
Edm^d Cantwell,
Tho. Janney,

Chr: Taylor,
Jno. Cann,
Wm. Clayton,
Ja: Harrison,

Wm. Wood,
Jno. Symcock,
Luke Watson,
Wm. Southersby.

John Songhurst and Jno. Hart declare they heard the Speaker say that the Proposed Laws Were Cursed Laws. Jos. Growdon & fran. fincher, also were present at Jno. White's when the Laws were read Over, and he said hang it, Damn them all.

Ordered that Wm. Welch & Tho. Lloyd goe to the Assembly to

lett them know that they have been soe long un-Dispacht of the Buisness proposed, that the Gov^r Takes it very ill.

Edm^d Bennet Sent from y^e Assembly to desire a Conferance with the Committee of y^e Councill.

Wm. Welch Brought in the Bill of Publick Aid wth Amendm^t.

Adjourned till Afternoone.

POST MERIDIEM.

The Gov^r & Councill Adjourned to the Assembly.

The Assembly desire to know whether they have not Liberty to disallow of the old Laws if they think fit, Viz^t:

15. Law prohibiting Rum to the Indians.

44. Registring Bills & Bonds, &c.

85. fidelity to Wm Penn; Else to forfeit their Lands.

115. In not promiseing Obedience to the Laws.

Also, the Law for not Killing Cow Calves & Ewe Lambs.

The Councill Adjourned to Wm. Welch his house.

The Speaker, Jno. Songhurst and Jno. White, Came from the Assembly, desireing One Amendm^t in y^e Bill of Public Aid, to Witt: to have all Rum made of Mollosses put in it: being put to the Quest., was past in the Affirmative.

All that are of Opinion that y^e Gov^r should make this answer, that he intends to forgive the Offence of Killing Ewe Lambs, say yee: past in Affirmative.

Registring of Bills & Bonds, &c., being a fundamentall, cannot be lett drop.

The Law of Selling rum fall of it selfe.

The Law of forfeiting Estates upon Disobedience to y^e Laws being but y^e Taile of a Law, it cannot be amended: not Lett fall.

Which Answers was given to the Speaker, francis fincher, Jno. Hart, John Blumston & Jno. Otter, to Informe the Assembly.

Put to y^e Quest. whether Wm. Welch should not draw up the Provisor in the Bill of Public Aid, say yee: Past in Affirmative.

All that are of opinion that registring of families shall goe at three pence Each head, say yee: Past in Affirmative: this I was sent with to y^e Assembly.

Jno. Beilaing's Petition read Concerning y^e appraisem^t of y^e Commissⁿ upon the Estate that was Luke Watson.

Adjourned till y^e 19th 3^d Mo., 84.

At a Councill held at New Castle The 19th of y^e 3^d Mo., 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho. Lloyd,
Wm. Welch,
Tho. Holmes,
Chr. Taylor,
Luke Watson.

Ja. Harrison,
Tho. Janney,
Wm. Clayton,
Wm. Southersby,

Jno. Cann,
Edm^d Cantwell,
Wm. Wood,
John Symcock,

The Gov^r & Prov^l Council have added Wm. Welch to the number of y^e Committee to Settle the regulation of y^e Revenue.

This day y^e Prov^l Council & Assembly met, and the Bills were read Over and the Motives and reasons Layd open by y^e Gov^r, and see Past in to Laws.

Adjourned till y^e 22th 3^d Mo., 84.

At a Council held at New Castle The 22th of y^e 3^d Mo., 1684.

PRESENT:

Wm. PENN, Prop^r & Gov^r.

Wm. Welch,	Ja. Harrison,	Tho. Janney,
Tho. Holmes,	Wm. Clayton,	Luke Watson.

Moved that a Committee be appointed to Inspect the Journall of the Last Sessions of y^e Prov^l Council & Genall Assembly. Wm. Welch, Tho. Lloyd & Tho. Holmes, were the Men appointed: also, to Inspect both former & Latter Laws. -

Ordered that y^e Coppys Transmitted to Each County be Exact.

It being moved in Council where the Charter of Liberty were to be Kept and if to be Exemplified to y^e respective Countyes, being put to y^e Question.

It was agreed that the Originall should Lie in the hands of the Master of the Roles, for y^e time being, and that a Coppy thereof be Exemplified to Each respective County, under the Great Seale, One being first finish for the Gov^r Proper Acc^t.

In Persuance of an Order of a full Prov^l Council & Assembly. Memorendum, Viz^t:

The Words hath granted unto me the said Wm. Penn, my heirs and Assigns, interlined between y^e fifth & sixth Line of y^e first Skin of this Charter, and the words twentieth in the fourteenth Line of y^e Second Skin, Changed to the word tenth, as now it is, was thus amended by y^e Consent of y^e Gov^r & Prov^l Council & Assembly at New Castle, Mett y^e 10 day of y^e 3^d mo., 1684, as being only defects of Clarkship in the Transcribing, as appears by y^e Act of union & Settlement. This was done in the Presents of the Members above Mentioned.

It was moved that Sam^l Carpenter Should be sent for, to be discoursed withall about farming the Excise, but he declined it. Adjourned till the Afternoone.

POST MERIDIEM.

The Receiver of y^e Publick Aid or Deputy Treasurer, to have 50lb. yearly duering the Treasurer Absence.

One Inferior receiver in Every County, who shall receive directions from y^e Deputy Treasurer, who shall receive Instructions from y^e Gov^r and Council; who Shall not be allowed above 20lb. p. year.

Ordered that Benja. Chambers or Sam^l Hersent, be for Philadel.

phia; Wm. Biles, for Bucks; Tho. Usher for Chester; Sam^l Land for New Castle; Richard Mirchell for Kent; a man to be nominated by two or three of the magistrates, for Sussex.

Ordered that a blanke Comission be sent downe.

Adjourned till y^e 29th 3^d Mo., 84.

At a Councill held at Philadelphia The 29th of y^e 3^d Mo., 1684.

PRESENT :

Wm. PENN, Prop^r and Gov^r.

Wm. Welch,	Tho. Lloyd,	Tho. Holmes,
Wm. Clayton,	Luke Watson.	

The Gov^r put y^e Question: All that are for the receiver of the Publick Aid, Called Comissioner, duering y^e absence of the Treasurer, say yee: past.

Question: Whether Wm. Welch should be the person: Past in Affirmative. His Comission was read and approved off.

Ordered that y^e Commiss^r give Comissions to under Officers.

The Comissions and Attestations were read and Liked of: also, the forme of the Bond the under Officers are to give and their Instructions, were read & Liked off.

Ordered that the Commiss^r give other Instructions to the Inferior officer for the Improveing the said Act according to Law.

Ordered that Wm. Welch have a Gen^l Comission of y^e Peace for the Province & Territories, and also the under Officers to have Comissions to Clear all Ships.

The Gov^r Proposeth to send a Proclamation along with the Law of Publick Aid; which was w^h One Consent agreed upon.

The Gov^r and Councill Ordered that these Persons following attend the Councill y^e 30th Ins^t by 7 in the Morning: Jno. Day, Jno. Songhurst, Tho: Winn, Tho: Hooton, Sam^l Carpenter, Jno. Jones, James Claypoole, Jno. Test, Patrick Robinson.

Adjourned till y^e 30th 3^d Mo., 84.

At a Councill held at Philadelphia y^e 30th 3^d Mo., 1684.

PRESENT :

Wm. PENN, Prop^r and Gov^r.

Wm. Welch,	Tho: Lloyd,	Wm. Clayton.
Tho: Holmes,	Luke Watson,	

The Persons Ordered to Attend the Councill Came Accordingly, and were discoursed Concerning the Bill of Publick Aid, and Considering the whole matter. Pat. Robinson, Jame Claypoole, John Song-

hurst, Sam^l Carpenter, Tho: Winn, and Jno. Jones, were nominated to be persons to gett in the moneys arising by the same:

Who, if they accept of it, they shall not only be made savers if they give in a Just account, but Gaynours. They are to give in an acc^t hereof at 6 a Clock to night.

Adjourned till 6 in the Evening.

POST MERIDIEM.

The Persons returne with this Answer:

Sam^l Carpenter Offers, and all of them are willing that a Survey may be made upon their goods, and think they shall raise three hundred Pounds or more amongst friends that may answer the thing Intended; also, that they will give an acc^t thereof, and get the Inscriptions to be in Lew of the Other Ingagem^t.

Adjourned till y^e 31th 3^d Mo., 84.

At a Councill held at Philadelphia y^e 31th of the 3^d month, 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho: Holmes,

Tho: Lloyd,

Wm. Clayton.

Wm. Welch,

Luke Watson,

The Persons before Mentioned Concerning the bill of Publick Aid, now being come wth their proposalls Concerning the same, The Gov^r & Councill Ordered the reading of them, and give this Answer:

[No answer given.—ED.]

Adjourned till y^e 3^d of y^e 4th Mo., 84.

At a Councill held at Philadelphia The 3^d 4th Mo., 1684.

PRESENT:

WM. PENN, Prop^r and Gov^r.

Tho: Lloyd,

Wm. Welch,

Luke Watson.

Tho: Holmes,

Samuel Lands' Letter was read, Concerning Coll. Geo: Talbot's goeing wth three Musqueters to y^e houses of Widdow Ogle, Jonas Erskin & Andreis Tille, and tould them that if they would not forthwith yield Obedience to y^e Lord Baltimore, & Own him to be their Prop^r, and pay rent to him, he would Turne them out of their houses and take their Land from them.

Tho: Holmes, Wm. Welch, Tho: Lloyd, apointed to be a Committee to Looke into the Actions of y^e Lord Baltimore, and to draw up a Declaration to hinder his Illegall proceedings.

The Petition of Wm. Darvall, Concerning a Bastard Child was read, and referred to y^e same Committee.

Another Petition of Wm. Darvall's, Concerning his Disloyalty to y^e Gov^r, in Denying to pay his rent, and advising Others the same; Also, Concerning the Gov^rs Letter, and denying to grant a Warr^t to apprehend men coming out of Maryland, all w^{ch} is referred to y^e same Committee.

Adjourned till y^e 4th 4th Mo., 84.

At a Councill held at Philadelphia, y^e 4th of y^e 4th month, 1684.

PRESENT :

WM. PENN, Prop^{or} and Gov^r.

Wm. Welch,	Tho: Holmes,	Wm. Clayton.
Tho: Lloyd,	Luke Watson,	

Wm. Darvall withdrew his Petitions, & therefore the Committee made there returne, Thus: That he having soe done, they would Let the Buisness fall.

The Gov^r was pleased to bring in a Declaration to quell the People of Maryland.

Adjourned till y^e 11th 4th Mo., 1684.

At a Councill held at Philadelphia y^e 11th of y^e 4th month, 1684.

PRESENT :

WM. PENN, Prop^{or} & Gov^r.

Wm. Welch,	Wm. Clayton,	Tho: Holmes,
Wm. Clark,	Tho: Lloyd,	Luke Watson.
Emd ^d Cantwell,		

The Gov^r informs the Councill that he sent a Letter to Coll. Talbot, to know what y^e Lord Baltimore would doe in answer to Gov^r Dounagan's Letter, which was to this Effect: to Lett things remaine as they were, till such times as there is a Decision made by y^e King & Councill; he also will stay his Declaration till he heares what Talbot Sayes.

Ashcom's Letter was read Concerning Talbot.

Sam^l Lands' Letter was read, informing the Gov^r and Councill that Jonas Askins heard Coll. Talbot say, that if Gov^r Penn should come into Maryland, he would Seize him & his retairce* in their Journey to Susquehannah fort.

Ordered that Wm. Welch doe take y^e Attestation of Jonas Askins, Concerning what Talbot said unto him, or any of those adherent to him.

*Should be retinue.

THE TITLE OF A DECLARATION.

By Wm. PENN, Prop^{or} & Gov^r of y^e Province of Pennsylvania & Territories Thereunto belonging: By and with y^e advice & Consent of y^e Prov^l Council of y^e same.

Wm. Welch is granted Leave to goe home.

Adjourned till y^e 12th 4th Mo., 84.

At a Council held at Philadelphia y^e 12th 4th Mo., 1684.

PRESENT:

Wm. PENN, Prop^{or} and Gov^r.

Wm. Clark,	Luke Watson,	Tho: Holmes,
Wm. Clayton,	Edm ^d Cantwell.	Wm. Haigue.
Tho: Lloyd,		

Wm. Clark Complains of Wrong done him by false reports of things done amiss in Open Court. The Persons names is Jno. Edminson and Wm. Darvall.

The President's being Memb^r of Council, are appointed a Committee to Inspect the Virginia Laws, and to prepare such things out of them as may be Usefull for this Province, against the Next Genall Assembly.

Ordered that Jno. Edminson & Griffith Jones, be Sent for.

Griffith Jones being attested, Saith that about y^e 5th Inst., John Edminson said before him & others at Capt. Brigg his house, that Wm. Clark, in shoeing y^e Difference between the Lord Baltemore's Government and this, & how much Easier it was to Live under this Government, then his tould soe many lyes and Untruths against the Lord Baltemore's Governm^t, that he could hardly bear with him; and further adds, that he, y^e said Edminson, said that he was goeing to Gov^r Penn for Pattents for his Land in y^e County of Kent, and when he had got them, he would goe to y^e Lord Baltimore and gatt his Pattents for y^e said Land. Jno. Edminson Stands to y^e same, and Saith that Wm. Clark tould y^e people that the Lord Baltemore Denied that Ever he had Given Out a Proclamation to Encourage y^e People to Settle at y^e whore Kills, as one of his Untruths.

Ordered That there be a report made to this board of the returne of the Comissⁿ w^{ch} went to Kent County Concerning Wm. Darvall, and that he may have a Writing drawne to Clear him.

Joseph Bowle, aged 31 years, living neer Iron hill, about 8 miles distance from New Castle, being attested, Saith that about tenn days since Coll. Talbot ridd up to his house and was ready to ride over him, and said Dam you, you Dogg, whom doe you Seat under here, you dogg! you Seat under noe body; you have noe Warr^t from Penn no my Lord; therefore, gett you gon, or Else Ile send you to

St. Mury's; and I being frighted, Says he, you Brozen faced, Impudent, Confident Dogg, Ile Sharten Penn's Territories by & by; and the Neighbours said they saw Bowles his Land Surveyed away.

Adjourned till y^e 18th 4th, 84.

At a Councill held at Philadelphia The 18th of y^e 4th Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} & Gov^r.

Jno. Symcock,	Tho. Holmes,	Chr: Taylor,
Wm. Clark,	Wm. Haigue,	Edm ^d Cantwell.
Tho. Lloyd,	Wm. Wood,	

The Gov^r desired to be Informed what Persons are fittest to administer to ffra. Whitwell's Estate: it was thought Wm. Southersby and Wm. Berry who were appointed, so to be.

The Gov^r again read the Declaration Concerning y^e Difference between y^e Lord Baltemore & himself, desireing y^e Councills approbation; who approved of it, but desired that some things for y^e psent might be left out.

Adjourned till y^e 19th of y^e 4th Mo., 84.

At a Councill held at Philadelphia y^e 19th of y^e 4th month, 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Chr: Taylor,	Tho. Lloyd,	Luke Watson,
Wm. Haigue,	Wm. Clark,	Jno. Symcock.
Edm ^d Cantwell,	Wm. Clayton,	

The Gov^r Informs y^e Councill that Wm. Darvall was much dissatisfied at y^e proceedings of y^e Commiss^{rs}, and desires y^e Opinion of y^e Councill in giving him a Clearing under y^e Clarke of y^e Councell his hand.

Upon Inquiry made in relation to Wm. Darvall, Concerning y^e Entertainment of one Murfey in Disafection to this Governm^t,

The Commiss^{rs} appointed to Enquire after & to bring to condigne Punishem^t such Disaffected Persons to this Governm^t, as they should have Proof of, in the County of Kent;

Returned this much Concerning Wm. Darvall: that the thing suggested were not proved against him.

Taken out of the Journall by leave of Gov^r & Councill.

The Gov^r Informs Wm. Clark and Edm^d Cantwell that they should draw up two Petitions; One to y^e King & One to y^e Duke.

Adjourned till the 20th 4th Mo., 84.

At a Councill held at Philadelphia y^e 20th of y^e 4th Mo., 1684.

PRESENT :

WM. PENN, Prop^{or} and Gov^r.

Chr: Taylor,	L. Watson,	Wm. Clayton,
Wm. Haigue,	Jno. Symcock,	Wm. Clark.

The Petition of Geo : Thorp read; desiring a hearing before the Gov^r & Councill.

The Gov^r desires to know if it be not Convenient to Constitute Prov^l Judges to Try Geo : Thorp's Buisness. Ordered that it be Tryed to morrow morning, Unless Griffith Jones shoes sufficient reason to the Contrary.

Ordered that Griffith Jones be informed that the Gov^r & Councill Sit at two of y^e Clock in y^e Afternoone, in order to his Buisness.

POST MERIDIEM.

The Petition of Geo : Thorp being againe read, The Quest. was put whether they would be pleased to Sitt as a Court of Equity and Law, or a Court of Equity alone.

The Gov^r Proposes whether the two partys are Willing to have it Tryed by the Prov^l Judges.

Griff. Jones desire times to send for his Evidences, and also desires to know if it shall be Tryed by Law or Equity.

Adjourned till y^e 25th 5th Mo., 84.

At a Councill held at Philadelphia y^e 25th of y^e 5th month, 1684.

PRESENT :

WM. PENN, Prop^{or} and Gov^r.

Wm. Welch,	Tho: Holmes,	Wm. Haigue,
Wm. Clark,	Tho. Lloyd,	Wm. Clayton,
Wm. Darvall,	Chr: Taylor,	Jno. Cann.
Jno. Syncock,	Tho: Janney,	

Richard Mitchell, Sherrieff, made his returne from Kent County, of the Election of Wm. Darvall in y^e Place of fran. Whitwell, Deceased.

Wm. Darvall Attested to Keep Secrecy.

The Gov^r Desires That the Memb^r of Councill would be sure above any thing to Suppress Lewdness and all manner of Wickedness.

The Gov^r first proposes to the Councill, the Law Concerning Selling Rum to the Indians.

That is to say: advises to Issue forth an Act of State to Suppress selling rum to the Indians in such Quantities.

The Gov^r desires also, that Ordinary Keepers' disorders may be suppressed.

Ordered that Rob^t Terrill be sent for to appear before y^e Gov^r & Councill, and all others that Sell Rum to y^e Indians.

At a Council held at Philadelphia 7th 20th of 7th Mo., 1684.

PRESENT:

Wm. PENN, Prop^r and Gov^r,
Chr: Taylor, L. Watson,
Wm. Haigne, Jno. Symcock,
Wm. Clayton,
Wm. Clark.

The Petition of Geo: Thorp read; desiring a hearing before the Gov^r & Council.

The Gov^r desires to know if it be not Convenient to Constant Prov^r Judges to Try Geo: Thorp's Business. Ordered that it be Tried to morrow morning, Unless Griffith Jones shew sufficient reason to the Contrary.

Ordered that Griffith Jones be informed that the Gov^r & Council Sit at two of 7th Clock in 7th Afternoon, in order to his Business.

POST MERIDIAN.

The Petition of Geo: Thorp being againe read, The Gov^r was put whether they would be pleased to Sit as a Court of Equity and Law, or a Court of Equity alone.

The Gov^r Proposes whether the two parties are Willing to have it Tried by the Prov^r Judges.

Griff Jones desire time to send for his Evidences, and also desires to know if it shall be Tried by Law or Equity.

Adjourned till 7th 25th Mo., 84.

At a Council held at Philadelphia 7th 25th of 7th month, 1684.

PRESENT:

Wm. PENN, Prop^r and Gov^r,
Wm. Welch, Tho: Holmes,
Wm. Clark, Tho: Lloyd,
Wm. Darvall, Chr: Taylor,
Jno. Symcock, Tho: Janney,
Wm. Haigne,
Wm. Clayton,
Jno. Cann.

Richard Mitchell, Sheriff, made his returne from Kent County, of the Election of Wm. Darvall in 7th Place of Wm. Mitchell, Deceased.

Wm. Darvall Attested to Keep Secrecy.

The Gov^r Desires That the Memb^rs of Council would be sure above any thing to Suppress Lawlessness and all manner of Wickedness.

The Gov^r first proposes to the Council, the Law Concerning Selling Rum to the Indians.

That is to say: advices to issue forth an Act of State to Suppress selling rum to the Indians in such Quantities.

The Gov^r desires also, that Ordinary Keepers, disorders may be suppressed.

Ordered that Rob^t Torill be sent for to appear before 7th Gov^r &

Jno. Jones Acquaints the Councill that one Russell harbours his Negroes, and therefore begs some redress.

MEMORANDUM: Servats Traviling wth out Passes, Idleing on first days, Unlisenced houses selling Liquors without Licence; also, seven pence halfe penny a Meal, and one penny a q^t for beer.

Adjourned till y^e 26th 5 : Mo., 1684.

At a Councill held at Philadelphia y^e 26th 5th Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Wm. Welch,	Jno. Cann,	Chr: Taylor,
Jno. Symcock,	Tho: Lloyd,	Tho: Janney,
Wm. Darvall,	Tho: Holmes,	Wm. Clark.
Wm. Haigue,	Wm. Clayton,	

Robert Terrill being brought before the Gov^r & Councill for Selling rum to the Indians and Other people, and Entertaining Other Person's Serv^{ts}, rece'd a repremand from the Gov^r.

A Proclamation Ordered to be Issued Out in Order to Suppress the same.

Ordered that Magistrates give Instructions to the Grand Jury for Suppressing of Ordinarys, according to Law.

Ordered that a Letter be writt giving Magistrates directions Concerning the Proclamation, & also of Chuseing Magistrates & Peace Makers.

Left to y^e Gov^rs Discretion to have y^e Laws & Charter printed at London.

Magistrates to Look after the Peace of y^e Province, & to Demeane themselves without a just Cause of Offence to the Indians, and then Discreatly.

Tho: Lloyd, Tho: Holmes, Wm. Haigue, appointed to draw up a Charter for Philadelphia to be made a Burrough, Consisting of a Maj^r and six Aldermen, & to Call to their Assistance any of y^e Councill.

Adjourned till y^e 28th of y^e 5th Mo., 84.

At a Councill held at Philadelphia y^e 29th of y^e 5th Mo., 1684.

PRESENT:

WM. PENN, Prop^{or} & Gov^r.

Wm. Welch,	Wm. Darvall,	Jno. Cann,
Wm. Clark,	Chr: Taylor,	Tho: Holmes,
Jno. Symcock,	Tho: Janney,	Tho: Lloyd,
Wm. Haigue,	Wm. Clayton,	

The Gov^r put y^e Question, whether y^e Govⁿ Charges & Expenses for the Preservation and Continuation of the Lower Countyes as annexed by act of Assembly to this Province, shall be reputed a Public Charge.

Resolved upon y^e Question, y^t y^e Govⁿ Expenses preserving and Continuing the Lower Countyes annexed by act of Assembly to this Province, be held & Reputed a Public Charge.

The Gov^r put y^e Quest: whether two-thirds or three-fourths of y^e freewill Offering Money given to y^e Gov^r, should be put to y^e Quest. Past in the Affirmative.

As many as are of Opinion that two thirds should be allowed the Gov^r towards the preserving & Continuing the Lower Countyes, annexed by Act of Assembly to this Province.

Past in the Negative.

As many as are of opinion that three fourths should be allowed, Say yee: Past in y^e Affirmative.

All that are of Opinion that y^e Charges of y^e Watchmen at New Castle should be payed out of y^e Publick Treasury, till further Order from Prov^l Councill, Say yee: Resolved in y^e Affirmative.

Ordered that Tho: Holmes, Wm. Haigue, Wm. Clayton, Tho: Lloyd, Wm. Darvall, Wm. Clark, or any two of them, Inspect y^e Bills of Benj. Acrod, Deceased, before such time as they are payd.

Adjourned till y^e 14th 6th Mo., 84.

At a Councill held at Sussex The 14th 6th Mo. 1684.

PRESENT:

WM. PENN, Prop^{or} and Gov^r.

Tho: Lloyd,

Tho: Holmes,

Wm. Darvall,

Wm. Clark,

Ja: Harrison,

Luke Watson.

The Difference between Luke Watson and Jno. Bellamy, touching the appraisment formerly Ordered by y^e Gov^r & Councill. &c. The sayd Luke Watson & Jno. Bellamy agreed before y^e Gov^r & Councill, as followed:

That the said Luke Watson shall Continue upon y^e three hundred Acres at Prime hook, wheron are his Improvements, together with the two hundred Acres adjoining thereto; and in Consideration thereof, the said Jno. Bellamy shall have the four hundred fifty-seaven Acres as p. Patent, being formerly the Lands of One Wm. Canes, and Seated by Prentice, and to assigne and make Over their Intrests to Each Other in y^e said Lands, by Legall Conveyances, &c. And y^e Said Luke Watson shall further pay unto the said Jno. Bellamy, one Bullock, or Vallue thereof; and thus they agreed & shaked hands.

Adjourned till The 18th of y^e 6th Mo., 1684.

At a Councill held at New Castle The 18th of y^e 6th month, 1684.

PRESENT :

THOMAS LLOYD, President.

Wm. Welch, Jno. Symcock, Edm^d Cantwell.
Jam : Harrison, Tho. Holmes,

A Comission from y^e Gov^r was read, Impowring the Prov^l Council to act in the Governm^t in his Steed, Tho. Lloyd being Presid^t of y^e same.

Also, a Comission for Tho. Lloyd to keep the great Seale, was read.

Prov^l Judges appointed by Comission, Viz^t : Wm. Welch, Nich. Moore, Wm. Wood, Rob^t Turner & John Eckley.

Adjourned till 19th 6th Mo., 84.

At a Councill held at New Castle The 19th of y^e 6th month, 1684.

PRESENT :

THOMAS LLOYD, Presid^t.

Chris: Taylor, Jam. Harrison, Wm. Clayton.
Tho. Holmes,

The Commission for the great Seale was againe read, and the Seale delivered to Tho. Lloyd.

A Comission was read Impowring Tho. Lloyd, James Claypoole & Rob^t Turner, to Signe Pattents and grant Warrats.

Wm. Clayton, Rob^t Turner & Dan^l Pastoruses, Comission for Justices of y^e Peace for Philadelphia County was read.

Wm. Clark's Gen^l Comission for y^e Peace was read, and filled up in Councill.

Adjourned till 24th 6th Mo., 84.

At a Councill held at New Castle The 24th of the 6th month, 1684.

PRESENT :

THOMAS LLOYD, Presid^t.

James Harrison, Wm. Haigue, Chris. Taylor.
Jno. Symcock, Wm. Clayton,

Ordered that the next Justice in Comission to the Presid^t of the Court of New Castle, doe officiate in the same till further Order.

Adjourned till y^e 10th 7th Mo., 84.

At a Councill held at Philadelphia the 10th of y^e 7th Mo. 1684.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho. Holmes,	John Symcock,	Wm. Clark,
Chr: Taylour,	Wm. Clayton,	Edm ^d Cantwell,
Wm. Wood,	Jam. Harrison,	Jno. Cann.

Wm. Welch being deceased, the Memb^r of Council for N. Castle County, Informed the Councill of y^e Want of one in his place: Whereupon, the Presid^t put y^e Quest., whether or not there should be a Writt sent downe to Chuse a Memb. to serve in his steed: past in y^e Affirmative.

Quest. Whether the Managem^t of the Genall Survey^r Place of New Castle County, Should be put into the hands of Tho. Holmes, Surv^r Gen^l of y^e Province, till further orther; and that Tho. Person be his Deputy for y^e Time being, he receiving Instructions from y^e Gen^l Surveyor. Past in Affirmative.

Information being given to this board that the Widdow Ogles' hay was thrown into y^e Creek, and Andrew Stelle's Clouths Terne by Coll. Talbots' People, who did it by his Order, Edm^d Cantwell and Jno. Cann were Ordered to Inspect the thruth of it, and to make a Speedy report of y^e same to this board.

Adjourned till y^e 11th 7th Mo., 84.

At a Councill held at Philadelphia The 11th of y^e 7th month, 1684.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,	Jam. Harrison,	Tho. Holmes,
Wm. Clayton,	Wm. Clark,	Chris. Taylor.
Edm ^d Cantwell,	Jno. Cann,	

It being proposed by a Memb^r in Councill, that a New Comission of the Peace be granted for the Countys of Philadelphia & New Castle, by reason of y^e removeall and Decease of y^e sayd Presid^t, it was Unanimously agreed that New Comissions should be Issued Out.

Ordered that Notice be given to the Prov^l Judges, to request them to appear in Councill to Morrow, at the 9th houre.

Adjourned till y^e 12th 7th Mo., 84.

At a Councill held at Philadelphia The 12th of y^e 7th Mo, 1684.

PRESENT:

THO: LLOYD, President.

Jno. Symcock,	Edm ^d Cantwell,	Jno. Cann,
Tho: Holmes,	Wm. Clayton,	Wm. Clark.
Chr: Taylor,		

Ordered that upon the Decease or Absence of y^e Present President from this Province or Territories, that it shall and may be Lawfull for the Prov^l Councill, upon any urgent Emergency, to meet together, & Chuse a Presid^t or Vice presid^t, as Occasion shall Offer, from time to time.

Wm. Clayton & Robt. Turner attested Justices of y^e Peace, for y^e County of Philadelphia.

Ordered that the King's Proclamation forbidding his subjects to Enter into the Servis of forreigne Princes, be read to morrow by the Sherrieff, in the most publick places of Philadelphia, at tenn of the Clock to morrow; and to be affixed in a Publick place for the Publick View.

Ordered that a Comission be speedly Issued fourth for One to Supply the place of a Prov^l Judge, Lately deceased.

Ordered that it be referred to y^e Presid^t and psent Memb^rs, to Comissionate Treasurer if Occasion be.

The Comission of y^e five Prov^l Judges was this day delivered unto Nicholas Moore & Robt. Turner, who were accordingly Attested.

The Copy Wherof is as followed, Viz^t:

Wm. Penn, Prop^{ty} & Gov^r of y^e Province of Pennsilvania & Territories thereunto belonging,

To my Trusty & Loving friends, Nicholas Moore, Wm. Welch, Wm. Wood, Rob^t Turner & John Eckley. Greeting:

Reposing Speciall Confidence in y^r Justice, Wisdom and Integrity, I doe, by Virtue of y^e King's Authority, derived unto me, Constitute you Provincial Judges for the Province and Territories, & any Legall Number of you a Prov^l Court of Judicature, both fixed and Circular, as is by Law directed, giving you and Every of you full power to act therin according to y^e same; Strictly Chargeing you and Every of you, to do Justice to all and of all degrees, without delay, fear, favour or Reward: And I doe hereby require all Persons within the Province and Territories aforesaid, to give you y^e due Obedience and respect belonging to your Station, in the Discharge of your Dutys.

This Comission to be of force duering two years Ensueing y^e Date hereof, You and Every of You behaving yourselves well therein, and Acting according to y^e same.

Given at Philadelphia, y^e fourth of y^e sixth Month, One thousand six hundred Eighty & four, being y^e thirty Sixth year of y^e King's Raigh, & y^e fourth of my Governm^t.

{ THE
SEAL. }

WM. PENN.

Postcrip: For y^e three Upper Countyes and Towne of Philadelphia.

WM. PENN.

Ordered that the Registry's Office for the County of New Castle, be managed by Jno. Cann, till further Order.

Ordered that y^e Presid^t and Present Members may have power out of Councill to grant Licenses.

An Information being given to this board from Sam^l Land, High Sheriff of the County of New Castle, That there was a Ship Lately arrived which was an unfree Bottom; Whereupon he seized her.

Ordered that Wm. Clark, Jno. Cann, Edm^d Cantwell, Peter Aldrichs, and Jno. Williams, or any three of them, Strictly Inquire into the Nature and Truth of y^e Information, and Transcefer an acco^t thereof to y^e Presid^t, or in his absence to Tho: Holmes.

Ordered in Councill, that y^e Presid^t & Members present may Empower such as they think fitt, to be a Court of admiralty, for the hearing and determining the State and Case of the Shipp Seized; and that upon all other, and the Like urgent Occasion, that the Presid^t & Pres^t Members may, in absence of y^e Councill, proceed to act therin wth Prudence, Law and Discretion, according to y^e Necessity of y^e Matter, and that an account of y^e same be reported to y^e next Councill.

Adjourned till y^e 14th 8th Mo., 84.

At a Councill held at Philadelphia The 14th 8th Mo., 1684.

PRESENT:

THOMAS LLOYD, Presid^t.

Thom: Holmes, Luke Watson, Wm. Clayton.
Wm. Haigue,

The Ship Called the harp, of London, Robt. Hutchins Master, being by this board Called in Question for his Ship's being an unfree Ship, and upon Consideration had by this board and Sam^l Horsent, Prosecutor, in behalfe of Sam^l Land, Prosecuting & desiring Judgment against the said Ship.

Monsieur Dethees, Master, Alias Pilot, appearing in person in Councill, produced a Past under the hands of the Comiss^r of London, and Seal of the Custom house, dated y^e 9th May, 1684; but positively declared that he had noe Clearing to produce, neither (as he said) could he produce any from the Admiralty Office of Darby house, and that Mounsieur Duthees that had been Employed to dispose of the Charity given to some french Protestants of good Quality, bound for Pennsylvania, did Solicite at y^e s^d Admiralty for a Clearing, but could not obtaine it; Hezekias helmont, Ed^t Hunter & Jeffrey Johnson, Seamen & Saylor on said Ship, being also called, and Personnally appearing in Councill, & being Interrogate severally and Joyntly, declared that they knew nothing of the Clearing of the said Ship, and that they know nothing of her being an unfree Ship till they came to burnegat, where they then heard of one above that Knew more than they, that Shee was an Unfree Ship.

The board upon hearing of the whole matter, and all that could be alleged in behalfe of said Ship, It is y^e Judgm^t of the board that Shee is an Unfree Ship, & so forfeited.

Condemnation and Sale of the Ship harp of London, By the President & Members of Prov^l Councill of the Province of Pennsylvania, and Territories thereunto belonging:

Information being made to this board by Sam^l Land, that a Certaine Ship called the harp, of London, Lately arrived with Passingers

from London, in England, and now riding before the towne of Philadelphia, in the Province of Pennsylvania, is a french Bottom, and noe ways made free to Trade or Import any goods into any of his Majesty's Plantations in America, and soe under the forfeiture Exprest in the Laws of Navigation, upon a full hearing of the Buisness in Councill, the fourteenth of y^e Eighth Mo., 1684, And by the Ingenious Confession of the Master, who Termes himselfe Pilot of y^e said Ship, who produced a Pass under the hand of y^e Comissⁿ & Seale of the Custom house at London, Dated the Ninth of the Second* Month, 1684, but positively declared that he had noe clearing to produce, Neither (as he said) could he produce any from the admiralty office of Darby house, and that Mounsieur Duthees that had been Employed to dispose of the Charity given to some french Protestants of good Quality, bound for Pennsylvania, did sollicite at said Admiralty for Clearing, but could not obtaine it, the seamen & Saylors, Viz: Hezekias Helmont, Edw^d Hunter, and Jeffery Johnson, of y^e s^d Ship being called, and personally appearing in Councill, did declare Joyntly & Severally, that they knew nothing of her being an unfree Ship untill they came to Barnegatt's, where they then heard that shee was an Unfree Ship; and Sam^l Land being prosecutor, Desireing Judgm^t, the President and Prov^l Councill upon hearing of y^e whole matter & all that could be alleged in behalfe of y^e said Ship.

Have and doe adjudg and Condemn y^e Said Ship as aforesaid, forfeited according to Law, the 14th of the 8th month, 1684; and Comissⁿ being respectively appointed for y^e View, apraisem^t & sale of y^e said Ship, wth Tackle, apparrell & Amunition, &c. did accordingly, between y^e hours of three & five of the day in y^e afternoone, being the 14 of the 8 month, 1684, Sel the said Ship by the Inch of Candle, to Barnaba Wilcox, for fifty-nine pounds ten Shillings six pence; whom we doe Declare to be the Sole, Right, and Lawfull Owner of y^e said Ship.

THOM. LLOYD.

Adjourned till 22th 8th Mo., 84.

At a Councill held at Philadelphia ye 22th of y^e 8th Mo., 1684.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Tho: Holmes,	Luke Watson,
Wm. Clayton,	Wm. Haigue,	Pet ^r Alrichs.

Ordered that John Songhurst, Wm. East, Thom: Taylor, apraise y^e french Ship w^{ch} is forfeited, and make returne fourthwith to this board.

Ordered that James Claypoole, Sam^l Carpenter, & Wm. frampton, be Comissⁿ to Dispose of y^e french Ship fourthwith.

*Should be third.

Ordered that Wm. Darvall, Grunadus Wessel, Jno. Brigs & Danⁿ Jones, have Comissions for Justices of the peace for Kent County.

Ordered that Peter Alrichs, Rob^t Owen, Edm^d Cantwell, & Abram. Man, have Comissions for Justices of the peace for New Castle County.

The Returne of the Sheriff of New Castle was this day read, for the Choyce of Peter Alrichs to be a Councillor for that place, Who was this day attested in Councill.

The Petition of Edm^d Cantwell was read, and the Councill Express their unwillingness to take Cognizance thereof, by reason had regularly his Legall remedy from the Provⁿ Court, to which he appealed, and should have prosecuted his Complaint & Greavance; how Ever, they thought it advisable to have a Letter Sent to the Clark of the County of New Castle by the Clark of the Councill, to send up to this board wth all Expedition, a Coppy of the appeal, Judgm^t Bond and Execution, wth the Declariion Plea and Verdict Entred & Issued out against the Complainant.

Adjourned till 24th 8th Mo., 1684.

At a Councill held at Philadelphia y^e 24th of y^e 8th Mo., 1684.

PRESENT:

WM. CLAYTON, Presid^t.

Chr: Taylor,
Jno. Symcock,

Ja: Harrison,
Tho. Janney,

Wm. Wood,
Wm. Darvall.

Ralph fretwell Complains to the Councill that he cannot have his Land Laid Out by reason of the Contention of the Survey^r.

Tho: Holmes being sent to by the Clarke of the Councill, to know his reason of not Issuing out his Warrant to Survey y^e Said Ralph fretwell's Land, his answer was, he would not Issue out his Warrant to Charles Ashcom, But he would Issue out his Warrant according to his Comission.

Wherupon the Councill made this Warr^t following:

For as much as Ralph fretwell hath made his Complaint to us that he cannot have his Land Surveyed and Layd out according to the Govⁿ Warrant, Wee having Sent to Tho: Holmes to put y^e said Warr^t in Execution, Viz: to direct Charles Ashcome, Survey^r of the County of Chester, to lay out the Same, and he refusing soe to doe;

These are therefore, to will and require Thee fourthth to Survey, or caused to be Surveyed, unto Ralph fretwell, the said Tract of Land, beginning halfe a mile above Concord, and soe through New Towne, Saveing Every man's right their already Surveyed to them in y^e said Towns Ship, and Soe up N. N. W. till you come to y^e full Extent on that side, and soe onwards untill the said Warrant be Accomplished, by a Square of tenn or twelve miles, or any Quantity that may be Contained in the same, according to y^e Treu Intent and meaning of y^e Govⁿ Warrant.

James Harrison and Jno. Symcock were Ordered to Discourse Tho. Holmes Concerning Ralph Hretwell.

Adjourned till 25th 8 Mo., 84.

At a Councill held at Philadelphia y^e 25th 8 Mo., 1684.

PRESENT:

THO: LLOYD, Presid^t.

Jam. Harrison,	Luke Watson,	Wm. Haigue.
Wm. Clark,	Wm. Clayton,	

Barnabas Wilcox had two hours granted him to give his answer to the Presid^t, whether he will have the french Ship as he bought her or not.

A Prov^l Court being by Law and under the great Seale by y^e Propr^{or} & Gov^r Established, it was Judged advisable and Expedient that for the future the Prov^l Councill may draw up and Endeavour to ascertaine the Legall Bounds and Jurisdictions of the Respective Courts of Judicature in this Province & Territories, least through the Inadvertancy, Indiscretion or unskillfullness of any Persons Judicially Comissionated, in the Discharge of their Duty, they, or any of them, may act Eregularly, to the Disatisfaction of y^e Governm^t, Disreputation of themselves, to y^e Vacuating and Insecurity of such acts & Judgment of y^e said Courts, & Consequently by the Intrenching of one Court upon y^e Matters Cognisable by an other Judicature, Annimositys, Disrespect and Confusion may be introduced.

For the Prevention Wherof, and y^e preserving of a Respectfull Notice and Corispondance, and for y^e Continueing a Suitable regard to the due Determination of y^e Commissⁿ of Each Court, It was agreed in Councill that such Instructions, Soe'drawn up, may be recomended to the notice of y^e Respective Commissⁿ.

Adjourned till y^e 30th of y^e 1st month, 85.

At a Councill held at Philadelphia The 30th of y^e first month, 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris. Taylor,	Tho: Janney,	Nich. Newlin,
Jno. Symcock,	Jno. Barnes,	Phin. Pemberton.
Wm. Wood,		

The Returne of Philadelphia Read.

The Returne of Bucks read.

The Returne of Chester Read.

John Barnes, Nich. Newlin & Phinias Pemberton, were this day attested to Keep Secret the Debates of Councill.

Adjourned till y^e 31th 1st Mo., 85.

At a Council held at Philadelphia the 31 1st Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris: Taylor,	Wm. Wood,	Jno. Barnes,
Jno. Symcock,	Jno. Cann,	Nich. Newlin,
Tho. Janney,	Phin: Pemberton,	Peter Alrichs.

The Returne of the Sherriff of New Castle was read.

Put to y^e Question, Whether y^e Members not coming to Council yesterday be willfull absence.

Past in the Negative.

Put to the Question, Whether those two Sherriff's which have not made their returnes should be fined or not for Neglect of Duty, and whether tenn pounds fine should not be Layd upon Each.

Past in y^e Affirmative.

Ordered that y^e Sheriff of New Castle pay 20s. fine for not making returne in time.

Jno. Cann, Jno. Barnes, Nich. Newlin & Phin. Pemberton, and as many more as pleaseth, appointed a Committee to read Over y^e Laws.

Adjourned till y^e 1st 2^d Mo., 85.

At a Council held at Philadelphia y^e 1st 2^d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. Wood,	Peter Alrichs,	Jno. Symcock,
Jno. Cann,	Phe: Pemberton,	Chris. Taylor,
Tho: Janney,	Nich. Newlin,	Jno. Barnes.

The Petition of Christopher Penock & Co. Concerning the ferry at Skoolkill, was read.

Ordered y^t an Order of ye Council be Sent to Phillip England, to Expedite a sufficient ferry boat for horses and Cattle to pass to and fro over the Scoolkill, as also to make y^e way on both sides Easy and passable both for horses and man, to Loe Water Marke; Otherways y^e Council will take care to Dispose of it to such as will pforme y^e same.

It being Moved in Council to have the Line of Separation known & distinguish^d between y^e Countyes of Philadelphia and Bucks, at y^e River Dellaware, the County of Bucks to begin at Poaouesson Creek, and soe to take in the Easterly side thereof, together with y^e Townships of Southampton & Warminster, and thence backwards.

And severall Members of Council acquainted this board that they heard the Gov^r Positively grant & say, that the aforementioned Line should be the Devision between the two said Countyes, and being put to y^e Question, whether that should Stand as y^e division of y^e Countyes aforesaid, it was carried in the Affirmative, Nemine Contradicente.

Ordered that an Order of Councill be Sent to y^e Sheriff of Each County abovesaid, to the End that they may know the Limitts & bounds of each respective County.

The Question was put, whether Sam^l Land should Continue Sheriff for the County of New Castle for y^e Next year.

Past in the Affirmative.

Whereas; the Gov^r in psence of John Symcock and Wm. Wood, was pleased to Say & grant That y^e bounds of the Countys of Chester & Philadelphia should be as followed, Viz:

That the bounds should begin at the Mill Creek and Slopeing to y^e Welch Township, and thence to Scoolekill, &c., in obedience thereto and Confirmation thereof.

The Councill having Seriously Weyed & Considered the same, have & doe hereby Agree and Order that y^e bounds betwixt the said Countys shall be thus; That is to Say:

The County of Chester to begin at y^e Mouth or Entrance of Bough Creek, upon Delaware River, being the uper End of Tenecum Island, and soe up that Creek, deviding the said Island from y^e Land of Andros Boone & Comp^y; from thence along the Severall Courses thereof to a Large Creek Called Mill Creek; from thence up the Severall Courses of the said Creek to a W: S: W: Line, which Line devided the Liberty Lands of Philadelphia from Severall Tracts of Land belonging to the Welch & Other Inhabitance; and from thence E: N: E: by a Line of Marked Trees, 120 perches more or Less; from thence N: N: W: by the harford Township, 1000 perches more or less; from thence E: N: E: by y^e Land belonging to Jno. Humphris, 110 perches more or less; from thence N: N: W: by y^e Land of Jno. Ekley, 880 perches more or Less; from Thence Continuing y^e said Course to the Scoolkill River, w^{ch} s^d Scoolkill River afterwards to be the Naturall bounds.

The Question was put, whether the afore mentioned Creeks, Courses and Lines, shall be the bounds betwixt the Countys of Philadelphia & Chester, according to y^e Gov^rs grant as aforesaid; Unanimous Carried in y^e Affirmative.

Motion being made for a Rainger for the County of New Castle, the Councill Unanimously Chose Peter Alrichs to be Rainger of y^e said County for One year.

Ordered that he have a Comission drawn for that purpose.

Ordered that Rich. Parker have Licence to Keep an Ordinary at Darby Creek.

Adjourned till y^e 3^d 2^d month, 1685.

THOMAS HOLMES, Presid.

Wm. Wood,

Wm. Hampton,

Wm. Clark,

Wm. Wood,

Jno. Cann,

Jno. Barnes,

P^r Alrichs,

Nicho. Newlin,

Phe. Pemberton,

Wm. Hampton,

Chris. Taylor,

At a Councill held at Philadelphia y^e 3^d 2^d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. Clark being attested, deposeth that he saw ye returne of the Sherriff of y^e County of Kent for a member of Councill, and he did read in the returne that Wm. fframpton was y^e man Chose for the memb^r of Councill.

And it being put to the Question whether that was sufficient for him to Sit, past in the Affirmative.

The Lycence of John Hill Ordered to be renewed.

The Returne of y^e Sherriff of Lewis County was read, Jno. Roads Returned Councillor.

Ordered that a Comission be drawn for John Cann, Peter Alrichs, Rich. Owen, Johanas D. Haes, James Walliams, Hendrick Williams, Vallentine Hallingswoorth, Edw^d Green, Wm. Guest, Hendrick Leman, to be Justices of the Peace for y^e County of New Castle, for a year.

Wm. fframpton was this day attested in Councill to keep Secresy.

Ordered that a Bill be drawn for Severall sorts of fines Exprest in the Laws of this Province, to be raised, Leavied and payd.

Ordered that a Bill be drawn to y^e End the time of Enrolm^t be Enlarged to Six months of Charters, deeds & Conveyances, & that y^e Clawse of Bill Bonds & Specialties be left Out, and y^e Word Patents be added and Incerted after the Word Charter.

Ordered that a Bill be drawn for Indemnifieing all forfeited Deeds not Enroled in Time, and that y^e said deeds shall stand Valid to all intents and purposes, as if they had been Enroled.

Ordered that a bill be drawn up That y^e Word Equity be left out in ye Law off County Courts.

Put to y^e Question; whether the 87 Law should be repealed, and one year be put in the roome of six months, and be new drawne: past in the Affirmative.

Put to y^e Question; whether the penalty should be taken out of the Law of Education; Past in the Affirmative.

Ordered that Wm. fframpton, Phin: Pemberton and Jno. Cann, doe draw up a Bill that all pay may be made in Kind according to Contract; also, that they bring in the Distance of takeing up of Servants.

Adjourned till 4 2 Mo., 85.

At a Councill held at Philadelphia y^e 4th of 2^d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. Wood,	Jno. Symcock,	Wm. Clark.
P ^r Alrichs,	Jno. Cann,	Luke Watson,
Wm. fframpton,	Jno. Barnes,	Nich. Newlin.
Phin: Pemberton,	Tho. Janney,	

Put to y^e Question; whether the 134 Law should be repealed, and one or more draws with amendments, in respect of Serv^{ts}.

Past in the Affirmative.

Wm. Clark is desired to bring in a forme of Indictm^s and attachm^s, against the next Sitting.

Ordered that a Bill be drawne for Watch and Ward, and be left to y^e Justices of Every County, or any four of them, to settle time and place, with 5d. penalty for Every One that shall neglect.

Put to y^e Question: Whether y^e 41 Chapter of Laws should be repealed, and an Other made in the roome with this amendm^t: Person instead of Man: past in y^e Affirmative.

Nath. Allens, Comission for gager & Sealer of Weights & Measures, was read and left to be Considered.

Put to y^e Question; Whether y^e 103 Law should be repealed concerning gageing: Past in the Affirmative.

Ordered that Wm. fframpton draw a new bill for the Size of Caske Exported, and also to be Used within this Province, &c.

Put to y^e Question; Whether there shall be a Gallon, peck & Bushell be Sealed in Every County of this Province, to be maintained at their owne Charge; past in Affirmative.

Put to y^e Question; Whether a Law should be made for a Penalty to be Laid upon such as Cutt or fall Marked or bounded trees; Past in the Affirmative.

Ordered y^t Jno. Symcock, Jno. Cann, Wm. fframpton & Phinihas Pemberton, be a Committee to draw up the former bills.

Adjourned till 6th 2^d Mo., 85.

At a Councill held at Philadelphia y^e 6th 2^d month, 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. Clark,	Luke Watson,	Jno. Barnes,
Wm. fframpton,	Jno. Cann,	Chr: Taylor,
Tho: Janney,	Phin: Pemberton,	Jno. Symcock,
Nich. Newlin,	Peter Alrichs,	Wm. Wood.

Put to y^e Question; whether y^e Persons Concerned in y^e Subscription of money in Lue of y^e Publick ayd, should be sent for in Order to pforme what they undertooke: Past in y^e Affirmative.

Put to y^e Question; whether this following Writing should be the foreamble to the Order of Councill for y^e Division of Countyes: Past in y^e Affirmative.

Wheras, there is a Necessity to Ascertaine the bounds of the severall Countys of the Province of Pennsilvania, in Order to the raising and Collecting of Taxes, Public Monys, and Other ways to adjust y^e Limitts of their respective Sherriffs, for y^e Performance of their powers and Dutys; and also, that y^e People might know unto what County they belong and appertaine, To answer their Dutys and places:

Ordered that a Comission be drawne for James Harrison, Tho: Janney, Wm. Yardley, Wm. Biles, Wm. Beaks, John Ottor, Edm^d Bennet & Jno. Swift, to be Justices of the Peace for y^e County of Bucks, the year Ensueing.

Ordered that a Comission be drawne for Jno. Symcock, Wm. Wood, Nich. Newlin, Rob^t Wade, Geo. Maries, Tho: Usher, Robert Riles & John Blumstone, to be Justices of y^e Peace for Chester County, the year Ensueing; But Left to the President and members of the said County to Leave Out four of them.

Put to the Question; Whether there should not be a Bill or Bills drawn to fine Justices & Sherrifs for their Neglect of their Duty; Past in the Affirmative.

The Petition of Widdow Acrod was Delivered into this board by Nicho. Moor, her Attorney; was read, & proof being made by her said Attorney of her being Married to Benj. Acrod, Deceased, by a Certificate from the Late Lord May^r of y^e Citty of London, S^r Henry Talse, and a Letter of Attorney also produced, Constituteing the said Nich. Moore her Attorney.

Ordered therefore, that Patrick Robinson be sent to attend this Board, to give an account of y^e Estate of Benj. Acrod, Deceased.

Adjourned till 7th 2^d Mo., 85.

At a Councill held at Philadelphia y^e 7th of y^e 2^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,	Tho. Janney,	Luke Watson,
Wm. Clark,	Jno. Cann,	Phin: Pemberton,
Jno. Symcock,	Peter Alrichs,	Nich. Newlin,
Wm. Wood,	Wm. fframpton,	Jno. Barnes.

The Govⁿ Comission to the Councill was this day read.

A Bill Concerning runaway Servants was read a first reading Past Nemine Contradicente.

A Bill Concerning Indemnifieing of Pattents, Gift, Grants, &c., not Enroled, read a first reading: past N. C.

Adjourned till y^e 8^t 2^d month 1685.

At a Councill held at Philadelphia The 8th of the 2^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,	Nich. Newlin,	Tho. Janney,
Jno. Symcock,	Jno. Cann,	Wm. fframpton,
Wm. Wood,	Chr: Taylor.	Phin: Pemberton,
Peter Alrichs,	Wm. Clark,	Jno. Barnes.
Luke Watson,		

A Bill for Persons goeing in Season for their pay in Pork, Tobacco & Corne, was read a first reading: past N. C.

By the Presid^t & Provⁿ Council of the Province of Pennsylvania & Territories thereunto belonging:

Whereas, there is a Necessity to ascertain the Bounds of y^e severall Countyes of Pennsylvania, in Order to y^e raising and Collecting of Taxes, publick Moneys, and Otherways to adjust the Limits of the respective Sheriffs for y^e performing of their Power and Duty; and also, that y^e People might know unto what County they belong & appertain to answer their duties and places: and whereas, the Gov^r, in presence of Tho: Janney & Phin: Pemberton, was pleased to say and Grant that y^e Bounds of y^e County of Bucks and Philadelphia should begin as followeth, Viz^t.

To begin at y^e Mouth of Poetquesink Creek, on Delaware, and soe by y^e s^d Creek, and to take in the Townships of Southampton and Warminster; in Obedience thereto and Confirmation thereof, The President and Council having Seriously Weighed and Considered y^e same, have & doe hereby agree and Order that the bounds between the said Countys shall be thus: to begin at y^e Mouth of Poetquesink Creek on Delaware River, and to goe up thence a long y^e said Creek by y^e severall Courses thereof, to a S. W. & N. E. Line, which said Line divides the Land belonging to Jos. Growdon & Compa., from y^e Southampton Township; from thence by a Lyne of Marked Trees along the said Line 120 Perches more or less, from thence N. W. by a Line of marked Trees, which said Line impart divided the Land belonging to Nich. Moor from Southampton & Warminster Townships, Contermeing the said Line as far as y^e said County shall Extend.

The Petition of Jno. Day was read; he is referred to two or three Justices of y^e Peace to hear y^e Buisness.

A Bill for Leather to be well Tand was read a first reading: Past N. C.

A Bill for fences to be Viewed read a first reading: past N. C.

Adjourned till 9th 2^d month, 85.

At a Council held at Philadelphia The 9th of the 2^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,	John Cann,	Phin. Pemberton,
Jno. Symcock,	Nich. Newlin,	Chr: Taylor,
Wm. Wood,	Luke Watson,	Peter Alrichs.
Wm. Clarke,	Tho. Janney,	

This day the Law past by this board to be permulgated, were read a second and third time and past, N. C.

Ordered that when Samⁿ Carpenter hath his Comission to appoint a Collector in New Castle County, that there shall be Care taken to Satisfie those that Watcht in y^e fort by y^e Govⁿ Order.

Ordered Vnanimously in Council, that Each County in this Province & Territories in their publick Assessm^t, advance wth all Expe-

dition the sum of tenn pounds, wth they all agree to be Raised for Richard Ingelo, Towards his Attendance and servise in Councill.

Adjourned till 25th 2^d month, 85.

At a Councill held at Philadelphia The 25th of y^e 2^d month, 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. fframpton,

Luke Watson,

Jno. Barnes.

The Petition of Jno. Butterworth being read, as also the annexed Letter from Tho: Olive, Deputy Gov^r of West Jarsey, whereby the said Butterworth Complained unto the Justices of the County of Philadelphia, for his Wages due unto him from Henry Patrick, Comender of the Ship Dispatch of London, for four months Wages, Ending y^e 5th of y^e first month Last, at y^e rate of twenty-eight Shillings sterling money of England p. month, amounting to Seaven pounds Currant money of this Province, and y^e same after severall Demands refused to be payd by y^e said Henry Patrick; and Wheras, y^e said Justices of y^e Peace have recomended the State of y^e Case of the said Petiti^on to this board, that so he might not perish, or be a Charge to this Province for want of his Just Wages.

This Board upon Consideration had of the premises, have thought fit and doe hereby Order the Justices of the peace for the towne of New Castle, or any four of them, by Sumons or Warrant, to send for the said Henry Patrick, whether on shore within their said Presinkt, or on board of his Ship, Over against the said presinkt in the River Delaware, and to Cause him to make payment of y^e aforesaid sum to the said Butterworth or his assignes, or Otherways to give Security for y^e paym^t thereof in such reasonable time as you shall see meet in you discretion, Unless he, the said Henry Patrick, can Legally make it appear before you that he hath paid y^e said Butterworth any more towards his wages then he alledged due to him, or that he can give you satisfaction why he aught not to pay y^e s^d wages.

Adjourned till y^e 28th 2^d Mo., 85.

At a Councill held at Philadelphia y^e 28th 2^d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris. Taylor,

Luke Watson,

Jno. Barnes.

Wm. fframpton,

Wm. Dareing's Petition was this day read.

Wheras, a Petition was this day by Wm. Dareing, Master of y^e Ship Wrenn, Exhibited to this board, thereby alledging and setting

forth that Jno. Harrison, seamen, Geo. Ambler, and Tho. Pringle, Servants belonging to y^e said Ship, were at y^e Last Provⁿ Court held at New Castle, Ordered and Sensured to pay tenn pounds seaven Shillings for a hogg, Valued at One pounds three Shillings, besides two of them to be Whipt, and y^e said master Complaining of y^e said Sentence of Court to be Severe, and Contrary to Law, hath Petitioned this board to have the Execution of y^e said Sentence suspended.

Upon Consideration had of y^e Allegations in y^e s^d Petition, It is Ordered y^t y^e Execution of y^e s^d Sentence be suspended, and y^t y^e Justices & Sherriff of y^e Town of New Castle are hereby Impowerd to suspend the same accordingly, untill y^e Provⁿ Judges doe returne to this Towne, and y^e Councill have Conferd with them, and thereby receive a full and Clear account & understanding of this matter, for w^{ch} this shall be to you and Every one of you your Sufficient Warr^t.

Adjourned till y^e 11th 3^d Mo., 85.

At a Councill held at Philadelphia The 11th of The 3^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Thom. Holmes,	Jno. Cann,	Wm. Southersby,
Chri. Taylor,	Wm. Darvall,	Wm. fframpton,
Jno. Roads,	Jno. Barnes,	Wm. Wood.
Luke Watson,		

The Presid^t having acquainted y^e Councill from York of the Death of our Late Sovereign, King CHARLES the Second, and of y^e Proclaiming of James, Duke of York & Albany, JAMES the second of England, Scotland, France & Ireland, King; and having read a Coppy to this board of y^e printed account of King Charles y^e Second's Death, with the Declaration of the Lord's Spirituall and Temporall of the realme of England, wth those of the Privy Councill, the Lord May^r, Aldermen and Cityzens of London, with y^e present King's Speech, Thought it their Duty, and unanimously agreed that y^e said papers be Solemnly read in y^e psents of y^e Representatives of y^e freemen of this Province & Territories, before the Gov^r Gate, in y^e Towne of Philadelphia, and that the paper drawne in Councill for y^e Publication of King JAMES the Second, wth y^e aprobation of y^e Assemblymen, be read accordingly, by Such a Person as y^e Councill shall appoint.

The Councill thought fit not to proceed upon any affair in a Legislative Capassity, untill such as the Publication of King James y^e Second be Over.

John Roads was this day attested to Keep Secret y^e Debates of Councill.

Adjourned till y^e 12th 3^d Mo., 85.

THO: HOLMES, Chairman.

The Speaker of the Assembly attended with Abram Man.

At a Council held at Philadelphia The 12th of y^e 3^d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,	Phin: Pemberton,	Wm. fframpton,
Wm. Wood,	Jno. Barnes,	Wm. Southersby.
Jno. Symcock,	Peter Alrichs,	Wm. Darvall,
Chri: Taylor,	Jno. Cann,	Luke Watson,
Tho. Janney,	John Roads,	Edw. Greene.

Ordered that Richard Ingelo, Clark of the Council, read the following Publication of KING JAMES the Second of England, &c. this day at the 9th hour.

PENNSILVANIA:

Wee, the President and Prov^l Council, accompanied wth the representatives of y^e Freemen in Assembly, & Divers Magistrats, Officers, and other Persons of note, doe in Duty, and in Concurrence with our neighbouring Provinces, Solemnly Publish and Declare that James, Duke of York and Albany, by the Decease of our Late Sovereign Charles the Second, is now become our Lawfull Leige Lord and King, James the Second of England, Scotland, France, & Ireland; and (amongst others of his Dominions in America) of this Province of Pennsylvania and its Territories KING; To whom Wee acknowledge faithfull & Constant Obediance, hartily Wishing him a happy Raigh, in health, peace & prosperity.

AND SO GOD SAVE THE KING,

These Names following were Subscribed:

THO: LLOYD, Presid^t.

Tho: Holmes,	Peter Alrichs,	Jno. Symcock.
Chris: Taylor,	Wm. Darvall,	Jno. Cann,
Phi. Pemberton,	Luke Watson,	Wm. Wood,
Wm. Frampton,	Jno. Roads,	Tho. Janney,
Wm. Southersby,	Edw ^d Green,	Jno. Barnes.

Richard Ingelo, C^t Conc^r Appointed for a Comittee Jno. Symcock, Wm. Wood, Jno. Cann, Phi: Pemberton, Wm. frampton and Tho. Holmes, to receive proposalls from the Assembly.

Peter Alrichs desired Leave of this board to goe to Birlington, wth was granted him.

Ordered that a Bill Concerning the Continueing the Old Laws be given to y^e Assembly.

Adjourned into a Comittee till y^e 13th 3^d Mo., 85.

The Comittee Mett With others of the Members The 13th 3^d Mo., 1685.

THO: HOLMES, Chairman.

The Speaker of the Assembly attended with Abram Man.

Jno. Hill & Henry Baker were Sent from the Assembly to propose to this board that they desire that y^e Stile of y^e Promulgated Bills may be according to Charter.

The Committee have Considered the matter, and make this Report to y^e President & Councill: that it is both Convenient & safe to have the Law to be passed to be according to Charter.

The President and Councill grant that the Stile to y^e preamble of y^e Promulgated Bills shall be according to Charter.

The Petition of Jno. Mackeney was read; the Councill are not Inclined to grant a Lycence but where there are Conveniences for Entertainm^t.

Wm. Berry & Francis Standfield Sent from y^e Assembly to desire a Conference, which was Complied with.

The Petition of Wm. Dareing being read; Cornelius Emson & James Rades being attested, gave in their Evidence in Writing Concerning it, w^{ch} remains on the file.

Ordered that y^e Clark of y^e Councill deliver to y^e Speaker 3 bills, No. 3, 4 & 5, w^{ch} was done.

Adjourned till y^e 14 3^d Mo., 85.

Wm. Brampton, Jno. Cunn,
Jno. Roads, Nich.
Peter Alrichs, Wm. South

The Committee being Mett y^e 14th 3^d Mo., 1685.

Two of the Memb. of Assembly attended this Board wth amendm^t on the Bill of fineing Justices from five pounds to five shillings.

The Committee doe desire the Assembly to Weigh & Consider the reasons given for passing this Bill as it is, as you may Informe them fully.

Phi. Pemberton Informed the Committee of the Indians killing their hoggs at the Falls: agreed that Care shall be Taken in it.

The Petition of Jacob Lassere & Jacob Pellison was read, but not being according the act of Naturalisation in its Stile, the advice of the board is that it should be accordingly amended, and it shall have it respectfull Notice; which was accordingly done.

Three of y^e Members of Assembly attended this board, and desired that y^e Bill No. 3 might be reduced from five pounds to thirty Shillings, and y^e Bill No. 5, from twenty Shillings to tenn. This Board reced the Bills with amendm^t.

Two of y^e Memb^r of Assembly attended this board, desireing more bills.

Ordered that y^e Clark deliver to them the Bills No. 6, 7, 8.

Adjou. ned till 5 o'Clock afternoon.

POST MERIDIEM.

The Committee being Mett:

Tho. Usher and Jno. Blunston, Members of Assembly, attended this Board with the 6th Bill, desireing this amendm^t, Viz': to Incert these words, to y^e wrong of his Neighbour or any other Person, after y^e word Land Marke.

Agreed y^t it should past with that amendm^t; also, they were ordered to desire more Bills.

Ordered y^t the Clark deliver to them the Bills No. 12, 13, 14, 15.

The Petition of Charles Pickerin was read, and it is y^e sence of this board that the Petion^r in reference to privileges and freedom, Stands in an Equal Capacity with other Persons of his Station in this Province, &c.

Adjourned till 15th 3^d Mo., 1685.

At a Councill held at Philadelphia The 15th 3^d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho. Holmes,	Jno. Barnes,	Wm. Darvall,
Jno. Symcock,	Chris. Taylor,	Edw ^d Green,
Wm. fframpton,	Jno. Cann,	Phin. Pemberton,
Jno. Roads,	Nich. Newlin,	Tho. Janney,
Peter Alrichs,	Wm. Southersby,	Luke Watson.

The Speaker, wth three more of the Assembly, attended this board with three Bills, Viz^t: y^e 12, 13, 14, for Amendm^t; Agreed they should pass wth Amendm^t.

Adjourned till 4 of y^e Clock Afternocne.

POST MERIDIEM.

The Presid^t & Councill being Mett :

Two of the Members of Assembly attended this board to desire a Conferance, which was agreed to.

The Declaration of the freemen in Assembly against Nich. Moore, one of their Members, that he should be removed from all his Offices of Trust and Power in this Province & Territories, w^{ch} Declaration was read and Ordered by this board to be recorded, w^{ch} is as followed:

The Assembly's Declaration against Nich. Moore, presented May 15th, 1685, to y^e President and Prov^l Councill in y^e Councill Chamber, by the Speaker & Members of the Assembly :

For the Speedy redress of divers Evils & Mischiefs w^{ch} this Province and Territories now Labour under, & for y^e preventing the farther growth and Increase of y^e same, & to the honour and Safety of the Gov^r and Governm^t of this Province & Territoris, and by good & Welfare of y^e People thereof, the freemen in Assembly now mett, doe by this their bill, shew & Declare against Nich. Moore, Pryor Judg and member of Assembly of y^e Province of Pennsylvania, &c. The Misdemeanors, Offences & Crimes, and Other Matters Comprized in the Articles following; and him, y^e said Nich. Moore, doe accuse of the said Misdemeanors, Offences & Crimes.

1st. The said Nich. Moore Assumeing to himselfe an unlimited & Arbitrary Power beyond the Prescription or Laws of this Governm^t, hath presumed of his owne Authority, to Send Unlawfull Writts to the Sherriffs, and to ascertain and appoint the Time of y^e Prov^l Cirquits without the Direction & Concurrence of y^e Prov^l Councill, wherby the time of their Sessions hath been Antisipated, the Severall Countys being Surprized by the Shortness of their Warning, and thereby being Impossible to give due Sumons according to Law, Either of Jurys, Wittnesses, or Persons Concerned, whereby some Persons have been forced to Irregular Tryalls, and Others absolutely denied Justice.

2dly. The said Nich. Moore, Judge, having that high Trust Lodged in him for the Equall Distribution of Justice, without respect of Persons, the said Judge Sitting in Judgm^t at New Castle, hath presumed to cast out a person from being of a Jury, after y^e said Person was Lawfully attested to y^e True Tryall of y^e Cause, thereby rending an Innocent & Lawful Person Infamous in the face of the County, by rejecting his attestation after Lawfully Taken, and Depriving the plaintiff of his Just Right.

3dly. The said Nich. Moore, Sitting in Judgm^t, did in y^e towne of New Castle, refuse a Verdict brought in by a Lawfull Jury, and by Divers threats & Menaces, and Threatning y^e Jury with y^e same* of Perjury and crim of their Estates, forced y^e said Jury to goe out so often, untill they had brought a Direct Contrary Verdict to the first, Thereby preventing Justice, and wounding the Libertyes of y^e free people of this Province and Territories in the Tenderest point of their Privelege, and Violently Usurping over y^e Consciences of the Jury.

4thly. The said Nich. Moore, although there was noe Lawfull sumons according to Law for Partys Concerned to make preparation, did Arbitrarily reject and Cast out the Complaint of Jno. Wooters, in New Castle Court, hereby not only Delaying but denying Justice to him, coming in a Lawfull way to Demand it.

5thly. The said Nich. Moore assuming to himselfe an Unlimited and unlawfull Power, did, Sitting in Judgm^t at y^e aforesaid Towne of New Castle, wherein two persons stood Charged in a Civil action, it being in its own Nature only Trover & Conversion, and y^e pretended Indictm^t raised it no higher, notwithstanding the said Moore did give the Judgm^t of felony, Comending the Defendent to be Publickly Whipt, & Each to be fined to pay three fould, thereby Tyranizeing over the persons, Estates and reputations of the people of this Province and Territories, Contrary to Law and Reason.

6thly. The said Nich. Moore Comanding a Witness to be Examined, did by overawing & greatly Perverting y^e Sence of y^e Wittnesses, Charge and Condamne the said Wittness to be guilty of Perjury, and to suffer the paines in that Case provided, & by proclamation to be for Ever rendred incapable of being rectus in Curia in this Governm^t, and also fined him, Contrary to Law.

*Fame or name.

7thly. And Whereas, the Wisdom of the Generall Assembly did Conceive the Circular Courts would be their best Expedient for Ending all kind of Differences whatsoever, the said Nich. Moore, at y^e Said Towne of New Castle, Comanding the records of y^e former Circular Courts to be produced, w^{ch} y^e said Moore reading, he did in the Open Court, Censure the Judgm^t of y^e preceeding Judges, by Saying their Judgm^t was not right, thereby Distracting y^e People betwixt divers and Contrary Judgm^{ts}, and perpetuating Endless & Vexatious Suits.

8thly. The said Nich. Moore, Sitting in Judgm^t at Chester, did in a most Ambitious, Insulting & Arbitrary way, reverse and Impeach the Judgm^t of y^e Justices of y^e said County Court, and Publickly affronting the members thereof, although the matter came not regularly before the said Circular Court, thereby drawing the Magistrates into the Contempt of y^e people, and Weakening their hands in the administration of Justice.

9thly. The said Nich. Moore being Chosen as abovesaid, to be Judg of y^e Circular Court according to law, w^{ch} obliges y^e said Judges both spring and fall, to goe their Cirquits; and y^e said Nich. Moore assuming to himselfe the power of appointing the Times, as he is the pretended Chief Judg in The Province and the Territories thereof, hath notwithstanding, Declined the two Lower Cirquits, to y^e great delay of Justice and Breach of his Trust, & Mischief and Inconvenience of y^e free people of y^e said Lower Countys.

10thly. The said Judg Moore resolving to put no Bounds to his Violence, Ambition and Oppression, hath, to y^e Dishonour of the Gov^t, and Contempt of y^e Governm^t, Declared that neither he nor his Actions are accountable to y^e Presid^t and Prov^l Council, by Despiseing and Containing their Orders & precepts, and Questionning and Denying their Authority, thereby Shrowding & Protecting himselfe in all the aforesaid Violences, to the rendring the Misserys of the Oppressed Intollerable & perpetuall, to the Subversion of the most Excellent frame of this Governm^t, and the raising himselfe above the reach of Justice.

11thly. For all w^{ch}, and divers other High Crimes and Misdemeanors, the ffreemen in Assembly Mett, saving to themselves by protestation, the Liberty of Exhibiting now and any time hereafter any further Charge and Accusation against the said Nich. Moore, doe now Impeach the said Nich. Moore of all the foregoing Crimes and misdemean^{rs}, and humbly request the Presid^t & Prov^l Council that he, the said Nich. Moore, may be removed from his great Offices & Trust, and answer to the said Objected Crimes and misdemeanors.

JOHN WHITE, Speaker, in the Behalfe and
by the Order of the Assembly, now mett
in Philadelphia.

Tho. Holmes, Jno. Symcock, Wm. Darvall, Phin. Pemberton, are desired to acquaint Judg Moore how that y^e Declaration aforementioned was presented by the Speaker & Members of Assembly this Even-

ing, and that the Councill doe request him to appear at y^e Councill to morrow Morning, by the Seaventh hour.

Adjourned till y^e 16th 3^d Mo., 85.

At a Councill held at Philadelphia The 16th 3^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho. Holmes,	Jno. Roads,	Luke Watson,
Jno. Symcock,	Wm. frampton,	Edw ^d Green,
Tho. Janney,	Phin. Pemberton,	Jno. Cann,
Nich. Newlin,	Jno. Barnes,	Peter Aldrichs.
Wm. Southersby,		

Jno. Blunstone & Tho. Usher Sent to this Board to desire a Conference: Ordered that they shall have notice from this board when they are ready to Conferr wth them, they having some other Buisness now upon them.

Adjourned till three of y^e Clock Afternoone.

POST MERIDIEM.

Mr. Man Complayning that a Prisoner was sheltered in the Gov^t house,

The Presid^t asked him whether he was taken into Custody by the Order of this board or by the Assembly.

Abram Man, in behalfe of y^e rest, said they did it as their own act; the Sherriff also being asked the Question, acknowleged the same.

Whereupon, the Presid^t did disavow that this board did allow him in any Kind. Questⁿ put to Patrick Robinson what Imediate Power was used; he said the Warrant would show it, w^{ch} was read.

The Speaker & Assembly againe desired that the Declaration against Nich. Moore, Prvar Judge, might againe be read, w^{ch} was accordingly done; w^{ch} Was without Direction to the Councill, nor Subscribed by the Speaker or any of the Assembly, nor noe place mentioned therein.

Adjourned till 18th 3^d Mo., 85.

At a Councill held at Philadelphia y^e 18th of y^e 3^d month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

John Cann,	Wm. Southersby,	Phin. Pemberton,
Jno. Roads,	Wm. Darvall,	Chris. Taylor.
Lu. Watson,	Nich. Newlin,	Wm. Wood,
Wm. frampton,	John Barnes,	Peter Alrichs.
Tho. Holmes,	Edw ^d Greene,	Tho. Janney.
Jno. Symcock,		

The Speaker, with y^e Assembly, attended this board, & Declared that they were abused by Pat. Robinson, who said you have drawn up an Impeachm^t against Pres^t Moore at hab nab, for which the desire satisfaction.

The Presid^t and Prov^l Councill Takeing into Consideration the words Spoken by Pat. Robinson, this board Concerning the Assembly, that the Impeachm^t against Judg Moore was drawn hab. nab. w^{ch} Expressions of his wee doe unanimously declare to be undecent, unallowable, & to be disowned.

The Petition of Pat. Kenerly read, and he is referred to Tho. Holmes, Wm. Hrampton & Phin. Pemberton, to End y Buisness.

Adjourned till 4 a Clock in y^e Afternoone.

POST MERIDIEM.

The Presid^t & Prov^l Councill being mett :

Wm. Darvall desired leave to goe home, he having Extrordinary Buisness, w^{ch} was granted.

The Speaker with the Assembly, Attended this board to mage good their Allegations against Nich. Moore.

In proof of y^e first Article, Especially The first Branch thereof, Viz^t : That is persciving to Send unlawfull Writts to the Sherriffs, &c.

The Speaker, by Consent and in behalfe of y^e Assembly, ascertains that Judg Moore's his Writt for holding a Prov^l Court at New Castle, came to the Sherriff's hand but six days before the perfext day for holding the Court, and by his Writt he Comands the Sheriff to Sumons all Lords of Mannors & Justices to attend the Prov^l Judges, and forty Eight freemen for a grand Jury, & twenty-four for a Petty Jury; Jno. Cann declares the same; Tho. Usher declares that the Sherriff of Chester County had no time but five days before the Court was held.

for proof of the Second Article :

They Desire the Benefit of James Reads' Testimony, formerly given in.

Jno. Cann, a Memb. of Councill, declares to y^e best of his knowledge, that upon y^e Objections of y^e Defend^r, y^e Court Yielded that before the said James Reads was attested, he should be layd by, but notwithstanding, through some Omission, after he was attested he was laid by.

for proof of y^e third Article :

John Cann further declares that he was in Court upon this Tryall when y^e Jury came in, who being asked by Judge Moore whether they were all agreed, he thinks they sayd they were all agreed, he is not certaine; and y^e Jury being asked what was their Verdict, they said Eight pounds: the Judg asked them what they meant by it: they said they found Eight pounds for the Plaintiff: Judg Moore urges thereupon, what is Eight pounds in Comparison of five hundred pounds alledged in the Declaration, and further said to y^e Jury, this is noe Verdict, you most goe out and finde according to Evidence, or Else you are all perjured Persons:

Whereupon they went out, and brought in their Verdict the next morning for the Defendant, wth Costs of Suit.

Jno. White Speaker, Declares fully wth Jn^o Cann, but further Saith that the Jury being asked by Judg Moore whether they were all and Every One agreed, & being thrice asked, they did declare they were Every One agreed, and notwithstanding, he said they must bring in an Other Verdict.

Edw^d Green, a Memb. of Councill, declares that he was in Court also when y^e Verdict upon y^e Tryall of Abram. Man, Plantif, and Edm^d Cantwell, defendant, and upon the Jury's giving in their Verdict of Eight pounds; Wherupon Judg Moore said it was no Verdict, but they must finde y^e Verdict according to Law & Evidence, soe he Sent them out, and they came into Court next morning, and after the Judg had admonished them, he asked if they were all agreed, and they said not; and he sent them back againe, requiring them to bring in their Verdict according to Law & Evidence: They went out againe and brought in for the Def^t, wth Costs of Suit: Whereas, it is Omitted in y^e first part of this Evidence upon y^e Jury's first Coming in, y^e Judge asked if they were all agreed, and they said they were all agreed, and they finding Eight pounds for the plan^t, the Judge asking them who they found Eight pounds for, they said for y^e Plantif.

Adjourned till y^e 19th 3^d month, 85.

At a Councill held at Philadelphia The 19th 3^d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,	Nich. Newlin,	Luke Watson,
John Symcock,	Jno. Cann,	Jno. Roads,
Wm. Wood,	Tho: Janney,	Jno. Barnes,
Wm. frampton,	Phin: Pemberton,	Pet ^r Aldrichs.
Wm. Southersby,		

The Speaker and y^e Assembly attended this board.

The Presid^t & Councill having reced from y^e Managers nominated by the Assembly, what proof they though well to offer to y^e three first Articles, which Managers are y^e Speaker, Abram. Man, Tho: Usher, Jno. Blumstone, Wm. Berry & Sam^l Gray, these Persons were Continued Managers for the proof of y^e whole Exhibited Articles by their Own Order.

As to y^e fourth Article being not so Intelligably Worded to the apprehension of y^e Councill, y^e Assembly requested by their managers that a further Explainer Sence might be admitted.

As to y^e fifth Article, they urge a Record from under the Clarke of the Circular Courts hand, and in the whole say, that y^e proof of the Intended Indictm^t was false.

As to y^e sixth Article, Jno. Cann Declared that Judg Moore Seeming by a Threatning word, Called Jno. Harrison to be an Evidence against Tho: Pringler & Geo: Ambler, he demanded of Harrison to declare what he knew Concerning the hogg in Question: The said

Harrison Declared he knew nothing of the taking of y^e hogg for he was at Philadelphia at y^e same time: upon severall Other Questions asked him whether he had seen or Eat any of it, he Declared he had both Seen and Eat: upon that y^e Jury had this in Charge, the Judge telling them it was perjury, they accordingly found the Person Guilty of Perjury.

As to the Seaventh Article, Wherin Judg Moore is accused of Judging of y^e proceeding of y^e foregoing Court Circular.

As to the Eight Article, Jno. Blunstone, Tho: Usher and Geo. Marries, Justices of y^e Peace for the County of Chester, declared That Sitting in Judicature in Chester County Court, upon an Action, Dennis Rochford being Plant. & Jno. Hickman Def^t, that after Judgm^t regularly obtained in that Court by y^e aforesaid Plaintiff, against y^e Defend^t, an Execution was granted & y^e Def^t Taken thereby: Yet notwithstanding y^e said Nich. Moore, upon a Bare Petition of y^e said Defend^t, he Vacated y^e Judgm^t and discharged y^e Prisoner; also the said Judg Moore did arbitrarily take upon him meerly by a Petition, to Reverse a Judgm^t Duly Obtained in y^e County Court of Chester, by Tho: Withers, plantif, Wm. Taylor, Defend^t; this was done by y^e said Judg Moore y^e 18th Mo., 1685 Last.

As to y^e ninth Article, Sam^l Grey and Jno. Hill allege it is apparent that Nich. Moore was bound in Duty to goe to y^e Lower Countys, to Keep the Spring Prov^l Court, yet notwithstanding, Declined his Duty, to the Manifest Rewin & Disappointm^t of Severall freemen.

As to the tenth Article, Wherby they Suggest severall Contemptuous & Derogatory Expressions Spoken by Judg Moore of the Prov^l Councill and of the present State of Governm^t by Calling the Memb. thereof fooles & Logerheads, and said it were well if all the Laws had Drapt, and that it would never be good Times as Long as y^e Quakers had the Administration.

Wm. Carter, & Robert Clifton & Sam^l Grey, declare that Nich. Moore advised them to proteste against y^e Last Promulgated Bills.

Upon y^e Reading Over y^e Declaraon before y^e Prov^l Councill by the Assembly, against Nich. Moore, and their Allegations for proof of their Articles being received by y^e Clarke of y^e Councill, the Assembly Moved that y^e said Nich. Moore might be removed from all places of Trust and Power.

The Speaker being asked if they Came as an Assembly or a Committee, they said they Came as an Assembly.

Upon the Peruseing of y^e allegations and Testimonys given in by the Memb. of Assembly, with some of y^e Councill, in Order to prove and to make aparent y^e Charge Exhibited in the Articles against Nich. Moore, one of the Prov^l Judges,

The Councill Unanimously agreed and Ordered that Express notice shall be given, with all dispatcht be sent to him to signifie the sence of this board, and that he make his appearance before y^e Presid^t and Prov^l Councill in the Councill Chamber, at three of y^e Clock this afternoone; being the 19 Instant.

The Assembly Presented a Petition to displace Patrick Robinson from any Office of Trust & Profit, Which Petition was read, & shall be weightily Considered and answered.

The fiftene Laws were this day read, and twelve of them were past in y^e Affirmative and three in the Negative.

Adjourned till y^e 28th 3^d Mo., 1685.

At a Councill held at Philadelphia The 28th of the 3^d Mo., 1685.

PRESENT :

THOMAS LLOYD, Presid^r.

Tho: Holmes,

John Barnes,

Wm. Frampton.

A Letter from Proprietary Penn was read, Authorizing the President & Prov^l Councill to Constitute Capt. Wm. Markham, Secretary of y^e Province & Territories, and also the Prop^{rs} Secret^{ry}, and to make Voyd all other Comissions, if any be.

Jacob Pellison & Jacob Sessarys, in Persuance of their Petion and former Order of Councill, it was referred to y^e Presid^r to signe y^e same, they Subscribing their Names to a Declaration Dischargeing themselves according to Law.

In Compliance wth the Gov^r Instructions, Ordered that a Comission be drawn to Comissionate Capt. Wm. Markham, Secretary of y^e Province & Territories, & also Secretary to y^e Prcp^{or} and Governor.

Instructions Sent to Capt. Wm. Markham, that he in Conjunction with the rest of y^e Magistrates of y^e towne & County of New Castle, to proclame James the Second King of England, Scotland, france and Ireland, &c.

Adjourned till 2^d 4th Mo., 85.

At a Councill held at Philadelphia The 2^d 4th month, 1685.

PRESENT :

THOMAS LLOYD, Presid^r.

Jno. Symcock,

Wm. frampton,

Wm. Markham.

Wm. Clarke,

Wm. Haigue requesting a Speciall Court at New Castle: granted and Ordered that a Comission be drawn.

Ordered that Speedy notice be Sent to Judg Moore by the Clark of y^e Councill, that he Desist & Cease from further Acting in any place of Authority or Judicature, till the Articles of Impeachm^t Exhibited against him by the Assembly be Tryed, or Satisfaction be made to this board.

The Petition of the Assembly against Patrick Robinson being debated of in Councill, upon the Consideration and perusall of y^e same, Wee doe Conclude that he cannot be Regularly removed from his Clarke's places or Office till he is Legally Convicted of ill fame, and those Crimes & Misdemean^{rs} alleged against him, which was presented to

this board by John White, Speaker, in behalfe of the Assembly; and after such Conviction, it is resolved that he shall be readily Dismist from any Publick Office of Trust in this Government.

THOMAS HOLMES, Presid.

Wm. Frampton.

Wm. Markham, Secre.

At a Councill in the Councill Roome at Philadelphia y^e 11th of y^e 4th month, 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

John Barnes,

Wm. Markham, Secre.

The Presid^t ord^r that a Warrant be made for y^e Sumonsing of Joseph Massie, Master of y^e Grayhound fly boat, to appeare before the Presid^t and Councill, to answer the Complaints made by passengers that Came in his Ship from England and Ireland, as well for detayning or *Imbellishing Severall goods Shipt on board his said fly boat for this Province.

Adjourned till further Order.

At a Councill in the Councill Roome at Philadelphia The 13th 4th month, 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

John Barnes,

Wm. Markham, Secre.

The Petition of Zachariah Whitepaine being read, Ordered that a Warrant be made for the bringing the families therin mentioned to y^e Plantation of their Employer, Viz: Zach. Whitepaine.

Adjourned till further Order.

At a Councill held in y^e Councill Roome at Philadelphia, The 18th 4th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. Frampton,

Wm. Markham, Secre.

The Petition of Franc. Richardson was read, desiring a Speciall Court in y^e County of Bucks, was Granted to be held y^e 23th Inst.

Adjourned till Tomorrow.

*Evidently Embezzling.

At a Councill in y^e Councill Roome at Philadelphia, The 19th of y^e 4th Month, 1685.

PRESENT :

THOMAS HOLMES, Presid^t.

Wm. Frampton,

Wm. Markham, Secre.

Rich^d Pittman's Petition against Joseph Master, M^r of the Ship Grayhound, being read, was Referd to y^e next County Court, or to y^e award of Arbitrators Indifferently Chosen.

The Petition of Jacobus Fabrisius was read, requesting the Keeping an ordinary: Answered they dont think fitt to grant y^e Petitioner's Request.

The Petition of Humph. Davenport in behalfe of Gabriel Minveale, March^t, of New York, y^t wee would grant him a Speciall Court to deside Differences between y^es^d Minvielle and Jno. Royer and Eliz. Ogle, y^e Relict of Jno. Ogle, both of New Castle County, was granted to be held on y^e 25th Inst., at New Castle.

Adjourned till further Order.

At a Councill in the Councill Roome at Philadelphia, y^e 3^d 5th month, 1685.

PRESENT :

THOMAS HOLMES, Presid^t.

Chris. Taylor,

Wm. Markham, Secre.

The Petition of Joseph Massey being read, Craveing a Speciall Court, was differrd till to-morrow.

The Councill adjourned till to-morrow, 8 in y^e Morning.

At a Councill in the Councill Roome at Philadelphia, The 4th of y^e 5th Mo., 1685.

PRESENT :

THOMAS HOLMES, Presid^t.

Chr: Taylor,

Phin: Pemberton,

Wm. Markham, Secre.

Wm. Frampton,

The Petition of Joseph Massey being againe read, desireing a Speciall Court at Philadelphia, was granted to be held on y^e next third day, being the 7th Inst.

The Petition of Humphrey Davenport on behalfe of Gabriell Minvielle, Merch^t, of New York, requesting a Speciall Court in y^e County of Philadelphia, granted to be held y^e next Third day, being y^e 7th Inst.

Information being given to this board of y^e unlawfull Marriage of R^d Noble, of y^e County of New Castle, Ordered that y^e Justices of that County have notice given by y^e Secr^y, to Inspect the same, and give Report thereof to this board.

The Petition of John day and R^d Orme, desiring a Justice of y^e peace might be made at y^e oper end of the Towne, was read.

The board reply'd they would take it into Consideration.

Motion being made to this board of a Necessity of a Comission for a Sherriff for Bucks County,

Ordered that Nich. Walne have Comission for y^e same.

Ordered that George Martin have a Comission for Sherriff of Kent County.

The Petition of Rich^d Ingelo Concerning his money due to him from y^e Governm^t, was Read.

Ordered y^t the Secretary make application to y^e Commiss^y Impow- red to dispose of Land, to Grant y^e said Rich^d Ingelo Eight hundred Acres, for w^{ch} Each County will Pay the Gov^r fiveteen pounds, all w^{ch} will be ninety pounds, the w^{ch} ninety pounds, and sixty formerly payd, will be in full satisfaction of all accounts with him.

The Petition of Wm. Daring being read for y^e Release of his Serv^t out of New Castle Prison,

Ordered y^t the Secretary Issue forth a Warr^t to y^e Sherriff of New Castle County, to deliver the said Serv^t to their Master, Capt. Wm. Dearing, he giving under his hand for their appearance before y^e Councill the 7th Inst., and that y^e Sherriff give notice to Hanse Peter- son to be here also.

Ordered y^t y^e Secretary send to y^e Sherriff of New Castle County, to Summonss y^e Councillors that one of them be at Councill y^e 10th Inst. by nine in y^e morning.

The Councill finding occasion to have a watch kept in this town, Ordered that it be recomended to y^e Justices of this Towne to take care of y^e same.

Adjourned till y^e 10th Ist. by nine in y^e forenoone.

At a Councill held at Philadelphia y^e 10th of y^e 5th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris: Taylor, Wm. frampton, Wm. Markham, Secre.

Adjourned till Three in y^e Afternoone.

POST MERIDIEM.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris: Taylor, Wm. Wood, Wm. Southersby,
John Cann, Wm. Frampton, Wm. Markham, Secre.

The petition of Robt. Hutchinson Concerning the attachment of a horse being read, is refered to y^e Benefit of y^e Law.

The Petition of John Boulton being Read, against Countrey butchers bringing their meet to towne on other days than Marquett days: The answer Referred till to-morrow.

The Complaint of Wm. Dearing, M^r of y^e Ship Wrenn of London, against the Illegall proceedings of the Judges Nich. Moore & Rob^t Turner, against his servants at y^e Circular Court at New Castle, y^e 1st Aprill, 1685, being read, and Hanse Peterson not appearing according to y^e minutes of 4th Ins^t. reply was made that John White appeared for him; upon w^{ch} John White was Called and asked if he knew any thing Why Hanse Peterson did not appear before y^e Councill upon warning given him by y^e Sherriff, at w^{ch} he produced a letter of Attorney from y^e s^r Hanse Peterson for his appearance for him, and after much dispute about Wm. Dearing's Complaint, it was proposed that Patrick Robinson should be sent for to produce y^e Records Concerning Capt. Dearing's men, wherupon Wm. Dearing produced a Coppy of y^e same, as he had formerly gott from Patrick Robinson, attested under his hand, w^{ch} was read; In w^{ch} there was mention made of one John Hollingsworth that had taken severall Testemonies or Evidences therein, to w^{ch} both John Cann & John White declared that there was no such person in the Countrey.

John White made several objections against that Record of y^e Circular Court, as y^e manner of y^e Indictm^t and y^e Judgm^t upon them, but they asked wether Hanse Peterson would be satisfied if he were paid for y^e Single Hogg, he answered in y^e Affirmative.

Then he was desired to withdraw: then the Councill began to Consider w^t to doe; some doubting his last answer, would have John White Called againe, and being asked whether Hanse Peterson would be Contented to have only y^e reall vallue of one hogg paid him for all his demands, Viz': twenty and three Shillings, he answered he would; then absented.

The Question being put whether the Sentence of y^e Judges against Jno. Harrison, Tho. Pringle & Geor. Amble, Imprisoned for Hogg steeling, should be remitted, it was past by y^e Major Vote.

Adjourned till 7th The next morning.

At a Councill held at Philadelphia y^e 11th of y^e 5th month, 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris: Taylor,	Wm. frampton,	Jno. Cann,
Wm. Southersby,	Wm. Wood,	Wm. Markham, Secre.

The Govⁿ Comission to Impower y^e Councill to Chuse President out of themselves, in y^e absence of Thom. Lloyd, was Read: Ordered to be Recorded.

The Question was put by the Presid^l, whether y^e Cause formerly depending between Hanse Peterson in behalfe of y^e King, Gov^r and himselfe, (so worded in y^e Records of y^e Prov^l Circular Court,) & John Harrison, Tho. Pringle & George Ambler, w^{ch} had a hearing at y^e last Circular Court held at New Castle, shall have a full hearing at this board or not;

It was agreed by all it should.

Ordered that y^e Secretary send a Warrant directed to y^e Sheriffs of y^e four opper Countys, personally to summons all the members of Councill for their respective Countys, to be at Councill on the 28th Inst.

Capt. Wm. Dearing Comand^r of y^e Ship Wrenn of London, Inters into recognizance of Twenty pounds for y^e bringing his two Serv^t John Harrison & Tho. Pringle, before this board y^e 28th Ins^t, and from thence not to depart till by order of y^e board.

Ordered y^t y^e Secretary Send a Summons to Hanse Peterson to appeare in Person before this board y^e 28th Ins^t, upon y^e penalty of y^e forfeiture of one hundred pounds upon failure:

And that y^e Secret^y send an Order to y^e Sherriff of New Castle County, to deliver unto Wm. Dearing his Serv^t, Geo. Ambler, to be brought before y^e Councill y^e 28th Inst., y^e which Serv^t was mentioned to be delivered to his said Master by warr^t from this board, dated y^e 4th 5th month, 1685, as being one of y^e Servants mentioned therein, but was not delivered accordingly.

The Petition of Sam^l Carpenter was read, Concerning an Execution he had against Socyety and James Claypoole, being mentioned therein, it being obtained at a prov^l Circular Court Signed by John Eckley, one of y^e Judges. James Claypoole was sent for and y^e Petition was read to him, to w^{ch} he made answer that he had appealed to England, but Sam^l Carpenter denyed it to be an appeale, since there was no Security given. Jam. Claypoole made answer that he was ready to give security. The Execution was ordered to be read, the w^{ch} being denyed by James Claypoole to be an Execution, Patrick Robinson, y^e Clarke of y^e Prov^l Circular Court, was sent for, who produced the Records of the said Court, wherein y^e Judges allowed an appeale to England upon Security given; but no security being given, a Judgm^t was Issued out against y^e Society. Jam. Claypoole desired y^e Councill would take his Security. The Councill refused, Denying it should be given out of that Court y^e action was tryed in.

Sam^l Carpenter Complayning that y^e Execution was signed but by one of y^e Judges, Viz^t: Jno. Eckley, and y^t Wm. Clark was y^e other Judge, and y^t he had refused to sett his hand to it, notwithstanding he had given his Judgm^t for it in Court.

Ordered y^t the Secre. send a Summons to Wm. Clark to appeare before this board y^e 28th Inst., to give his reason why he refused to signe y^e Execution against the Society, he being one of y^e Judges of that Court, and past his Judgm^t in Court for it, or to send his reasons up under his hand, by y^e aforesaid day.

The Petition of Wm. Southersby, who wish Wm. Berry were by

appointm^t of y^e Gov^r, administratⁿ on y^e Estate of francis Whitwell, deceased, was read, Requesting the Councill would give them reasonable satisfaction for their paines and troubles; and y^t seeing y^e debts are more then the Estate can bare, desires how the widdow shall be disposed off, and whether any of the Estate may be reserved for her.

Answer: When y^e accounts are brought in y^e Councill will Consider of it.

Adjourned till y^e 28th Ins^t.

The 21th of y^e 5th month, 1685.

Severall Indians made Complaint to y^e Secre of abuses they received from y^e servants of Jesper flarmer, at y^e said Jesper flarmer's Plantation, Viz^t: their making y^e Indians drunk, then Lying with their Wives, and of their beating both men and their wives. The Secretary tould them by the Interpreters, Lacy Cock, that y^e Councill would sitt on y^e 28th Inst., and desired they would be there then, and y^e Serv^s should be sent for; but they telling him they could not Stay so long from hunting, but desired it might be on y^e 24th Ins^t, and then they would taulk about y^e Land not yett bought. The Secretary Sent a Summons to y^e Serv^s by y^e Sherriff, to appeare y^e afore-said 24th day, dated y^e 21st Ins^t, and likewise sent a Lett^r to Capt. Holmes, Presid^t of y^e Councill, to acquaint him of it, date y^e 22^d Ins^t, sent by y^e Sherriff to Capt. Holmes' plantation.

The 23th of y^e 5th Mo., 1685.

Capt. Wm. Dearing, M^r of y^e Wrenn of London, desired of y^e Secret^r two Summonses, one for Robert White, y^e other for Rob^t Roberts, to appeare before y^e Councill y^e 28th Ins^t, as witnesses on his behalfe, in y^e diffierance between his serv^s and Hanse Peterson; was done & Entered.

The 24th of y^e 5th Mo., 1685.

Wm. Haigue Request y^e Secret^r that a hue and Cry from East Jersie, after a servant of Mr. John White's, March^t at New York, might have some force and authority to pass this Province & Territories; the Secretary Indorsed it and Sealed it with y^e Seale of y^e Province.

appointing of Y Gov. administrator on Y Estate of Jacob W. Hines, deceased, was read, Requesting the Council would give their reasons for the satisfaction for their pains and troubles; and Y. Hines, Y. Hines are more than the Estate can bear, desire for the whole shall be disposed off, and whether any of the Estate may be reserved for her.

Answer: When Y accounts are brought in Y Council will consider of it.

Adjourned till Y 25th Inst.

The 31st of Y 5th month, 1885.

Several Indians made Complaint to Y Secy of abuses they received from Y servants of Jasper Farmer, at Y and Jasper Farmer's Plantation, viz: their making Y Indians drunk, then lying with their Wives, and of their beating both men and their wives. The Secretary told them by the interpreters, Jack Cook, that Y Council would sit on Y 28th Inst., and desired they would be there then, and Y Secy should be sent for; but they telling him they could not stay so long from hunting, but desired it might be on Y 24th Inst., and then they would talk about Y Land not yet bought. The Secretary sent a summons to Y Secy by Y Sheriff, to appear Y afternoon 24th day, dated Y 21st Inst., and likewise sent a letter to Capt. Holmes, Presid^t of Y Council, to acquaint him of it, date Y 22nd Inst., sent by Y Sheriff to Capt. Holmes, plantation.

The 23rd of Y 5th Mo., 1885.

Capt. Wm. Dearing, M^r of Y Wrenn of London, desired of Y Secy two summonses, one for Robert W. Hines, Y other for Robt. Hobbs, to appear before Y Council Y 25th Inst., as witnesses on his behalf, in Y difference between his secy and Hanso Peterson; was done & Entered.

The 24th of Y 5th Mo., 1885.

Wm. Haigne Rogness Y Secy, that a bus and City from Essex, after a servant of Mr. John White's, March at New York, might have some force and authority to pass this Province & Territories; the Secretary instructed it and sealed it with Y Seal of Y Province.

The 27th 5th Mo., 1685.

The Indians y^t made Complaint against Serv^{ts} of Jasper farmer, on y^e 21th Ins^t, and appoynted y^e 24th for a hearing before y^e Councill, the Indians mistooke y^e Day, & came not till y^e 25th Ins^t, and y^e Sherriff Messenger, with y^e Summons to Jasper farmer's Servants, Loosing his way in y^e woods, returned without Summoning them to appear, upon both w^{ch} Disappoyntments, the Indians Concluded to appear y^e 28 Ins^t, and accordingly y^e Secretary sent a Sumons to John Skull, overseer to Jasper farmer's Serv^{ts}, for him and y^e Serv^{ts} to appeare, Especially John Below.

At a Councill in the Councill Roome at Philadelphia y^e 28th 5th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. fframpton,	Jno. Cann,	Nich. Newlin,
Jno. Symcock,	Tho: Janney,	Wm. Markham, Secre.

Maj^r. Dyer Came to y^e Councill, and tould y^t he presented himselfe before them according to his Instructions to take an oath, as that had directed him to doe before he Entred into his Office of y^e King's Collect^r of his Customes in Pennsylvania, and turned to y^t Clause in his Instructions & y^e Secret^{ry} read it to y^e Councill, with his Comission from y^e Comiss^{rs} of y^e Customes, and y^e Copsy of y^e Lords to them to grant it, Coppys of w^{ch} both were left.

The Councell tould him it was against their methods to take an Oath, but if he pleased to be attested, according to y^e Laws of the Province, they would attest him: he made answer, he understood that before, and Expected no otherways, for it was what he had done in East Jarsey. Then he was attested thus:

Thou dost Solemnly declare in y^e Presents of God, and before this board, that thou will truly and Justly performe y^e office of y^e King's Collect^r of his Customs in y^e Province of Pennsylvania, according to y^e Instructions he Received from y^e Comiss^{rs} of his Majesty's Customes.

Maj^r. Dyer produced a Copsy of y^e King's Proclamation Concerning the Plantion trade, w^{ch} was read and left with y^e Councill.

His Comission for Survey^r Gen^l of his Maj^{ty} Collonys and Plantations in America was read, and y^e Copsy Left.

Then was Read Maj^r. Dyer's Instructions both for Survey^r Genall of all his Maj^{ty} Collonys & Plantations in America, & for Collec^r of Casaria, Pennsylvania and New Jarsey. In one Paragraph of his Instructions for Collector, he was directed to leave the Copsy of them wth y^e Gov^r, for w^{ch} he desired at present to be excused, he being in great haste goeing to New Yorke, and they would take up much time Copying, but Intended shortly here againe, then would present them with one.

Maj^r. Dyer brought with him before y^e Councill one Christopher Snowden, telling them that he intended to make him his Deputy Sercher and Wayter of his Maj^{ty} Customes in Pennsilvania, and desired he might be attested accordingly, to performe his office as usuall, w^{ch} was don.

A Letter from Wm. Clark, no date, in answer to a Summons sent to him baring date y^e 11th 5 month, 1685, was read.

Sam^l Carpenter being present, who desired y^e Opinion of y^e Councill whether James Claypoole ought now to give in Security and appeale for England or not: if he ought, he desired it might be done forthwith, for there he said he hoped to have some redress; or if of y^e Contrary opinion, begg'd that he might have Speedy redress here. Then Sam^l Carpenter was asked whether any body had Refused to Execute that Execution: answered no, for he had not tryed any with it yett.

Then y^e Councill gave their Opinion that Wm. Clark's letter Confirmed y^e Execution, he only objecting against y^e Wording it, the w^{ch} in his Sense, seemed to be as well against James Claypoole as against y^e Goods of y^e Society, w^{ch} to them appeared otherwise, Viz': that James Claypoole was only mentioned therein as y^e Person y^e managed y^e Cause for y^e Society.

Sam^l Hersent, y^e Sherriff, being at y^e Doore, the Councill Called him in & asked him if he refused to serve y^e Execution of Sam^l Carpenter against y^e Society; who made answer he never saw it.

John Skull appeared with y^e Servants of Jasper ffarmer, according to a Summons bearing date y^e 27th Inst., but y^e Indians being drunk in y^e woods, & the Servants declaring they were affraid to goe home before y^e Buisness was Ended, y^e Councill ordered they should Stay in Towne till y^e next day, when y^e Indians were to be in Towne to Receive pay for y^e Land bought of them.

Adjourned till Three in y^e afternoone.

POST MERIDIEM.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. fframpton,	Edw ^d Green,	Nich. Newlin,
Jno. Syncock,	Jno. Barnes,	Wm. Markham, Secre.
John Cann,	Tho. Janney,	

Wm. Dearing being called, desired leave of the board that Charles Pickerin might speake for y^e Servants, w^{ch} was granted. The Councill requested y^t y^e Secretary give a Comission to Sam^l Carpenter, By y^e Virtue of his Comission to be Deputy Threasurer.

A Letter was Read by y^e Presid^t, Directed to him from John Richardson, desireing Capt. Holme to Recomend him to y^e Councill to be High Sherfff of Kent, in the Roome of Rich. Micheall, lately deceased, but was refused by all.

A Letter was Read directed to y^e Councill from John Brinklow, Vm. Clark, Wm. Berry and Wm. Wismore, Recomendng Geo. Iarton for y^e place of High Sherriff of Kent County, in y^e roome of

Rich^d Micheall : Consented to, & Ordered that a Comission be drawne accordingly, to be in force a Yeare, or till further Order.

Ordered that Rich^d Ingelo bring the Bookes, wth all y^e papers relating to y^e Minute or Journall of this Councill. or that any wayes Concernes us.

The Buisness of Wm. Dearing's Servants and Hans Peterson being called,

Appeared Wm. Dearing, Hanse Peterson, and y^e three Serv^{ts}. Charles Pickerin allowed by y^e request of Wm. Dearing to speake for the Serv^{ts}; and John White, by request, was allowed to speake for Hans Peterson.

John White being asked what he had to say against the Serv^{ts} of Wm. Dearing, Said that they were noe Defend^{ts}, for y^t they were well satisfied wth y^e Judgm^t the Court had given against them, and therefore, they expected a Charge from them; and that if Hanse Peterson should give a Charge against y^e Serv^{ts}, he was not prepared with his Evidences, not knowing that it would be tryed over againe. And Hans Peterson himself said, that notwithstanding he endeavoured to bring his Wittnesses but they refused to Come, and he knew not how to force them, being Ignorant of y^e Way, since a Justices Summons was not a Sufficient Warr^t for appearance before y^e Councill.

Then Charles Pickering did alleadg y^t y^e Serv^{ts} were Trappand by Hans Peterson, who some dayes before y^e Court, bidd them not appear there, promising them not to appear to prosecute them, by w^{ch} deceit they were unprovided for a deffence.

John White made answer that that could not be, for y^t Hans Peterson was bound in bonds not to prosecute them.

To prove Charles Pickerin's allegations :

Rob^t White was called for and attested to declare what he knew of y^e matter; who said y^t in his hearing Hanse Peterson tould Wm. Dearing, that he would Cleer them and bring them off, and y^t he need not to appeare. Hanse Peterson desiring he should be asked what time it was he heard him so, made answer he had forgott, but as well as he can remember, it was about six days before y^e Court.

Then falling into a Contraversie about y^e Legallity of y^e Indictment, w^{ch} was grounded on y^e 96 and 164 Chap^t in y^e Laws, it was ordered to be Read, and approved of.

Charles Pickerin desired Wm. Dearing should be attested to declare that Hans Peterson had said to him about his servants.

The Councill ordered them to withdraw, and then debated whether y^e M^r being Concerned, should be attested as an Evidence.

They gave their opinions he should be attested, w^{ch} was accordingly don; and then declared y^t Hans Peterson seeing him look angerly, bid him not be angry, for that he would bring his Serv^{ts} off, and y^t he was sorry for what he had done, & y^t it was don in his Passion.

Edw^d Green was attested to Declare what he knew of y^e Matter, declared:

That some Time last Winter y^e M^r Invited him on board, and goeing both together there, they found Hans Peterson's Wife with some other women: a Short time after Came Hans Peterson on board, wth a

Complaint that some persons belonging to y^e Shipp had Killed his Hoggs: That Hans's Wife did then declare y^t y^e person that killed the hogg had before acquainted her with his purpose of doeing it, and after y^e hogg was Killed, did give her notice therof, that his Master might be Charged with it, the Master having before agreed with Hans for pork for his men, and y^t she tould him he might Carry it on board; and further saith y^t y^e s^d Hans did at y^e same time owne y^t y^e s^d M^r had spoak to him to lett him have some fresh pork for his people, and y^t he had promised they should: and further, that y^e s^d Hans said that provided he was pay^d for his Hogg he Would be contented, & y^t y^e Master agreed to doe it.

Cornelius Empson Was attested to declare what he knew of y^e buisness, who said that when he had blamed Hans Peterson for Indicting y^e Servants of Wm. Dearing, when they had tould him before they would kill one of his Hoggs, he made answer that he was too hasty in it, but should bring them off well enough.

Then they were ordered to withdraw, whilst y^e Councill should debate y^e matter, but Immediatly Stepd^d in Abraham Man & John Blunstone. Abraham Man began thus: Wee are come in y^e name of y^e free people, to know whether you have not forgott yourselves in not bringing Judg Moore to a Tryall.

The Secretary asked him for his Petition.

Abraham Man made answer, that they did not look upon themselves obliged to come by way of Petition, considering whome they Represent: after some Sharpe repremands, from y^e Councill, they withdrew, and then y^e Councill

Adjourned till 7 y^e next Morning.

At a Councill in y^e Councill Roome at Philadelphia, The 29th of y^e 5th month, 1885.

PRESENT:

THOMAS HOLMES, Presid^t.

Wm. fframpton,	Tho. Janney,	Edw ^d Green,
Jno. Symcock,	Nich. Newlin,	Wm. Markham, Secre.
John Barnes,		

The Petition of Joseph Massey, M^r of y^e Ship Grayhound of London, was Read, setting forth his Carpenter's absentiong himselfe from his service, requesting a warr^t to serch for him in any suspected place of Concealing him: granted him, and that if apprehended, he be brought before y^e Councill, to be dealt withall according to Law.

The Petition of James Sanderiin's and Neals Lawson was Read, Complayning that they Could not have their Lands. Resurvey^d in the towne Ship of Chester, alias Upland, according to an order from y^e Go^v vernor.

Appointed to be heard y^e next Sitting of y^e Councill, and a Sumons

to be sent to Charles Ashcome, Deputy Survey^r of ye County of Ches-
ter, to give his reasons why he hath not obeyed ye said Warr^t: and
notice to be given to James Sanderling and Neels Lawson, y^t they
may then appeare.

Charles Pickerin, John White, Wm. Dearing, Hans Peterson,
and y^e three Servants of Wm. Dearing being Called, all of them were
asked whether they would leave the whole Buisness & Differece be-
tween them to what y^e Councill should order, or that they would have
tryd by law.

They all agreed to leave it to this board to doe what they pleased
therein.

They were Ordered to withdraw, and then y^e Councill Debated
about it, but it being urged that y^e parties Concerned had not bound
themselves in any penalty to Stand to their Order, they were Called
in againe, and Hans Peterson Enters into Recognisance to y^e Gov^r of
tenn pounds to Stand and abide by y^e Ord^r of y^e Councill.

Wm. Dearing Enters into a Recognizance of tenn pounds to y^e Gov^r
in behalfe of his Serv^t that they shall stand & abide by y^e Order of y^e
Councill.

They were Ordered to withdraw, and after debate y^e Councill Con-
cluded thus: That y^e Master Wm. Dearing, pay in behalfe of his
three Servants, unto Hans Peterson, one pound three shillings, for
y^e Hogg they killed of y^e said Hans Peterson; And that Hans Pe-
terson pay five pounds and tenn shillings, one pound tenn shillings
whereoff, is to be payd to y^e Secretary, and four pounds to y^e High
Sheriff of New Castle County, towards Charges, and that they release
one another under hand & Seale, and y^e three Serv^t goe quietly about
their buisness.

John Blunston & George Maris, Came to renew their former de-
sire in behalfe of y^e Assembly, y^t Patrick Robinson might be removed
out of his Publique Offices, and that y^e Tryall of Nich. Moore might
not be delayed.

The Councill answered, that as soone as Presid^t Lloyd, was come
from New York, (who is Expected the next week,) they would give
them an answer, but at present Could not.

In regard, Patrick Robinson was his Deputy in y^e Office of M^r of
y^e Rolls.

Ordered that Wm. Stockdale and Cornelius Empson, have a Com-
mission forthwith to be Justices of y^e Peace for New Castle County,
their Comission to stand in force for one year, or till further Order.

Adjourned till three in y^e Afternoone.

POST MERIDIEM.

The Same Members of Councill mett this afternoone, &

Adjourned till further order.

At a Councill in the Councill Roome at Philadelphia y^e 19th 6th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid^t.

Chris. Taylor Wm. frampton, Wm. Markham, Secre.

The Petition of Rich^d Blackleach of New England, March^t, was read, setting forth that Benjamin Chambers of Philadelphia is Indebted unto him y^e sume of fourty and one pounds, and of his necessity of being suddenly at home, y^t he could not without prejudice stay till y^e Court in its proper time should sitt, therfore Craves a Speciall Court.

Ordered y^t a Comission be made for y^e same to be held on y^e 24th Ins^t. Directed to y^e Justices of Philadelphia County, or any four of them.

Adjourned till further Ord^r.

The 24th 6th Mo., 1685.

Information being given to y^e Secretary by Sam^l Land, that by y^e Death of one Lewis Davis formerly of New Castle County, his Estate for want of Heirs, and Dying intestates, fell to y^e Gov^r, and that if not timely prevented, others would Administer upon it, to y^e great Damage of y^e Gov^r. The Secretary did give a Warr^t to y^e Sherriff of y^e County to take into his possession all y^e Estate, both Reall and personall, & to send y^e account thereof to y^e Presid^t & Councill, to be disposed off as they shall think fitt.

At a Councill Especially appointed for y^e Nominating of Judges at y^e Councill Roome at Philadelphia, The 14th 7th month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes, Phin: Pemberton, Jno. Barnes,
Jno. Symcock, Chr: Taylor, Wm. Markham, Secre.
Wm. frampton,

Agreed that a Comission be drawne for Three Judges, Viz^t: James Harrison, James Claypoole and Arth. Cook.

Ordered The Comission be drawn forthwith.

Adjourned till y^e 16th Ins^t.

At a Meeting of y^e Councill in y^e Councill Roome in Philadelphia The 16th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho. Holmes,	Wm. frampton,	Phin. Pemberton,
Chris. Taylor,	Wm. Southersby,	John Barnes,
Jno. Symcock,	Wm. Wood,	Wm. Markham, Secre.

The Minutes of y^e Councill from y^e 28th of y^e 5th Mo. was Read: and wheras, on y^e 29th of y^e s^d Mo., John Blunston & George Maris tould y^e Councill that they came to renew their former desires in y^e behalfe of y^e Assembly, &c.

The Councill at y^t time gave them answer, that as Soon as Presid^t Lloyd Came from New York, who was Expected y^e next week, they would give them an answer.

The Councill did now order this answer to be Recorded: That Nich. Moore being at this Time under a Week and Languishing Condition, and not under promising hopes of a Speedy Recovery, so that at present they Cannot give any Certaine or deffinitive answer.

The Petition of Rich^d Ingelo was Read, Requesting y^e Councill y^t y^e Tenn pounds allowed him out of Each County for his service don y^e Contrey, they would be pleased to order might be forthwith payd.

Order y^t Each County pay him y^e next month, without further delay, and y^t he address himselfe to y^e members for Each County for y^e Performance of y^e same, provided that he bring in y^e minutes of y^e Councill, fiairly Drawn out.

The Petition of James Sanderling & Neels Lawson, w^{ch} was Read y^e 29th 5th month last, was now Read againe, Complayning that they Could not have their Lands Resurveyed in y^e Towneship of Chester, according to an Order from y^e Gov^r.

The Petitioners and Charles Ashcome, being Deliberately heard before y^e Councill, the board Generally Concluded y^t y^e Omission of y^e Deputy Surveyor was not justifiable.

And y^e Petitioners further Complayning of wrong & Injustice don to them, as being two of y^e six Claymers of their allotment in Chester, Alias Upland Township, by Charles Ashcome, y^e Deputy Survey^r, Surveying of Land Contrary to Warr^t, the first for Charles Pickerin, in Right of Eustas Anderson, near y^e supposed bound of Upland, & a second Warrant for Charles Pickerin, for part of his purchase, w^{ch} being from y^e Survey^r Genall, only to be Executed upon land as neare as Could be to Upland, & not in y^e township of Upland, and therfore the Councill unanimously Conclude that Charles Ashcom's serving of these Warrants was Irregular, and whatsoever was done hereupon, Wee Cannot Conceive Valid.

The Petition of Mary Mason, Widdow, was Read; Requesting y^e Councill to Confirme y^e Sale of Lotts and Lands sold by y^e said Widdow, by y^e Gov^r Verball order, to pay her Desceased husband's Debts, and for subsistence of herselfe and Children.

James Harrison being present & attesting y^e truth of y^e Order, and she declaring y^t y^e Land sould was y^e Citty Lotts, and y^e Liberty Land, and but two hundred Acres out of one thousand, and not y^e Land y^t was Improved; y^e Councill ordered a Confirmation.

The Councill adjourned till six to morrow morning.

At a Meeting of the Councill in y^e Councill Room In Philadelphia y^e 17th of y^e 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,
Jno. Symcock,
Chr. Taylor,

Wm. frampton,
Wm. Wood,

Phin: Pemberton,
Wm. Markham, Secre.

Ordered y^t a Proclamation be Drawn and Published forthwith, to reinforce y^e Law made at Upland prohibiting y^e sale of Rum, brandy, & other strong Liquors to y^e Indians, under y^e penalty therein Expressed, and y^t ali Magistrates take notice thereof, and put the same in Execution.

Upon y^e Reading y^e Petition of Philip Thleman against Tho: Master, for his not performing his Contract in building a house for y^e s^t Phi. Thleman,

Ordered y^t both parties be heard before y^e Councill.

Complaint being made by Henry Lewis, John Bevan and others, in y^e behalfe of y^e Welch friends, that their Lines runn out Regularly, according to y^e Gov^rs Warr^t, were notwithstanding, by Charles Ashcome, Deputy Survey^r of Chester County, his undue Execution, of severall Later Warrants, prevented from y^e quiet Enjoym^t of y^t tract that was legally laid out for them.

The Board, upon y^e hearing of y^e same, ordered y^t Charles Ashcome be required to prepare and bring in to y^e Councill a Draught by a scale of a 160 perches in an Inch, for all y^e Lands Surveyed and Laid out by him Westwardly of y^e N. N. W. line, runn By Ralph ffirstwell and himselfe, and to attend the Councill & Comiss^s with it y^e next Third day, by y^e 9th hour in y^e forenoone, for y^e Speedy Composing y^e Differences & ascertaining y^e lines between y^e Chester friends and others, and y^e Welch friends, & in the meantime to Survey no more Land until further Ord^r.

The Councill adjourned till further Order.

At a Meeting of the Council in The Councill Roome In Philadelphia
y^e 22th 7th Mo. 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Tho: Holmes,

Wm. frampton,

Wm. Wood,

Chr: Taylor,

John Barnes,

Wm. Markham, Secre.

In Compliance with an Order of Councill, Dated y^e 17th Ins^t., Charles Ashcome appeared and brought a Draught of y^e Settlement upon y^e West side of y^e line Runn out by Ralph firetwell & himselfe: y^e Councill upon perusall and observation of y^e same, and Comparing the lines thereof with a Draught made up by y^e same Scale by David Powell, of y^e Tract surveyed by him in behalfe of y^e Welch friends, have recommended y^e adjusting of y^e Disputed bounds, and accomodating the Differences thence arising & further likely to En- sue, unto y^e Councill and Comiss^{rs} Joyntly, at their next sitting.

Thomas Holmes acquainting y^e Councill y^t not withstanding the Gov^{rs} Express Orders to Charles Ashcome upon his going for Eng- land, under his hand, and by his Letter since, of his Complying with y^e Gover^{rs} Determination of y^e Differences between them, & that Charles Ashcome was to Continue in his place, under Tho. Holmes, for so he was and so he must be, (were y^e Gov^{rs} words,) in Case he will behave himselfe, and did make Exact Returns, & pay to y^e Sur- vey^r Genall share of fees. The Councill proposing these termes to Charles Ashcome, and he not Complying to y^e satisfaction of y^e Councill, they have agreed to Continue their Order to forbid Charles Ashcome to Survey any more land in y^e County of Chester, till he submitt to y^e Gov^{rs} Instructions, or be Impowred by the Councill and Comiss^{rs} to proceed further.

Phil. Thleman's Petition against Tho. Masters was Read.

Ordered y^t Tho. Masters be sent to to attend y^e Councill in y^e after- noone.

Wheras, James Harrison, James Claypoole & Arthur Cook, were nominated by y^e Councill y^e 14th Ins^t., to be Prov^l Judges, & orders given to prepare a Comission to Authorize them to act thereby on y^e 24th Ins^t., and y^e 24th of y^e next second month, but James Harrison, & Arth. Cook being informed thereof, Desired Earnestly to be Excu- sed therein, and Declared their utter Indisposedness thereunto; and James Claypoole being prevented by great Illness from serving there- in, y^e Councill, upon further Consideration have, in Order to answer y^e due Expectation of such persons who are Concerned in appeals, Unanimously agreed to Shew their Readiness & Willingness in Re- ceiving such appeals w^{ch} are to be brought in to y^e Secretary's Office, & to give their further attendance in Councill to Deside Differences w^{ch} are to be Determined y^e 24th Ins^t., being y^e Day the Prov^l Court was appoynted to Sitt.

The Councill adjourned till 3 in y^e afternoone.

POST MERIDIEM.

The same Persons Present.

John Rambo, y^e son of Peter Rambo, being accused of fornication before the Council, was bound over to y^e next County Court at Philadelphia, his father, Peter Rambo, and his Brother, Gunner Rambo, he produced for Security, w^{ch} was accepted.

Peter Rambo y^e Elder, and Gunner Rambo, Joyntly and Severally Enters into recognizance of five hundred pounds, Currant Money of this Province, to y^e Proprietor and Gov^r, that Jno. Rambo shall personally appear at y^e next County Court to be held at Philadelphia, to answer an Indictm^t against him for fornication and other misdemeanors, and he not to Depart from y^e Court without being acquitted, or leave from y^e bench, otherwise to forfeitt his baile.

Information being Given to y^e Councill by Capt. Cock, of y^e Indians' willingness to sell all their right & Claime to the Land between Upland & Apoquinamy, as farr backward as they have any Claime thereunto, and that they proposed a meeting at Widdow Scallop's on y^e 29th Ins^t, in order to treat about y^e same: The Councill thought fit to order Capt. Tho. Holmes, John Symcock, & y^e Secretary, or any two of them, to be at y^e place afores^d, wth full power to treat and Compleat y^e purchase wth them, and to Call to their assistance what members of y^e Councill can Conveniently be there

The Councill adjourned till 7 to-morrow morning.

At a Meeting of the Councill in y^e Councill Roome at Philadelphia y^e 23th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes, Wm. frampton,
Chr. Taylor, Jno. Barnes,

Wm. Markham, Secre.

Ordered that a Comission be drawn forthwith for James Bradshaw, to be Chief Survey^r & Chief Register of y^e County of New Castle, to be in force till y^e Gov^r pleasure be further knowne.

The Petition of Henry Reynolds against Tho. Usher, Justice of y^e Peace for y^e County of Chester, Complayning that y^e s^d Tho. Usher had Imprisoned him by his Warr^t to y^e Sherrieff only upon y^e bare word of his accuser.

Ordered y^t a Copy of y^e Petition be sent to Tho. Vsher, and that he make Speedy answer to it.

Ordered y^t Notice be given by writing, sett up at y^e Gate, That the Councill will sitt to-morrow in y^e forenoon by y^e 9th hour, to Receive Complaints and Grievances.

The Councill adjourned till to-morrow, Eight in y^e forenoone.

At a Meeting of the Council in y^e Council Roome at Philadelphia y^e 24th 7th Mo, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes, Wm. frampton, Wm. Markham, Secre.
Chr: Taylor, Edw^d Green,

The Petition of Edw^d Evaret was Read, Requesting his money due for wayting on y^e Prov^l Judges with his Boat, in the Goeing their Circuite.

Ordered that he bring in his Contract and Certificate relating to it, & then y^e Council will give their Answer.

The Petition of Peter Gronendike was Read, setting forth that wheras severall people, and perticularly Wm. Clark, have obtained Judgm^t by Petitioning y^e County Court of Sussex, against the Estate of Cornelius Verhoof, Deceased, without Summoning y^e Petitioner, who is Executor to y^e said Verhoof, and have served Execution thereupon, notwithstanding y^e Petitioner did Publish some time before, y^t if any person had any accounts against y^e Estate of Cornelius Verhoof, Deceased, they should bring it in to y^e Petitioner, and that he would Endeavor to make satisfaction. The Petitioner beggs y^e Council for Redress against such Illegall proceedings.

The Council Considering y^e Complaint, doe Judg y^e Proceedings a grievance, and not Justifiable by our Laws, though it hath been y^e practice of y^e Lower Counties to grant Judgm^t against y^e Estates of Deceased persons without precedent Summons, only the partys Petitioning the Court and proving their Debt was sufficient.

Information being given to this board y^t Tobiah Leach tould an Indian Woman that y^e English would sell them no more powder nor shott. but did intend to Cutt them all off, The Board Ordered that y^e Secretary send a summons to y^e s^d Tobias Leech to appeare forthwith before them, to answer to the Information.

Phil. Thlenman put in his apeale (from y^e County Court to y^e Prov^l Court) to y^e Council.

Ordered that a Summons be sent from y^e Secre. To Tho. Masters, to attend the Council in y^e Afternoon, to answer to y^e apeale.

The Council adjourned till 3 in y^e afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes, Wm. frampton, Wm. Clark,
Chr: Taylor, Edw^d Green, Wm. Markham, Secre.

A letter was read from Wm. Darvall, Directed to y^e Presid^t and Council. Ordered to be read againe to-morrow, and then to be Considered off.

The Council adjourned till To-morrow morning.

At a Councill in y^e Councill Roome in Philadelphia y^e 25th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Chris. Taylor,
Wm. Clark,

Wm. Wood,
Edw^d Green,

Wm. Markham, Secre.

Ordered that Patrick Robinson be writt to by y^e Secretary, to bring in, or transferr to y^e Secretary's Office forthwith, what appeales or other writings he hath, w^{ch} was to be Determined before y^e Prov^{ll} Judges at a Court to begin y^e 24 Ins^t at Philadelphia.

Patrick Robinson appeared, and gave an acco^t of what appeales he had Delivered to y^e parties Concerned.

Tobias Leech Appeared, in Obedience to a Summons sent him from this board y^e 24th Ins^t, and giving a Credible relation of his Clearness of what was alledged against him, was Dismissed untill further Order.

The Councill adjourned till 3 in y^e Afternoone.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t.

Chris. Taylor,
Wm. Clark,

Wm. frampton,
Wm. Wood,

Edw^d Green,
Wm. Markham, Secre.

The Letter from Wm. Darvall y^t was read Yesterday, w^{ch} had no date, was againe read, adviseing y^e Councill that one Jno. Curtis, a Justice of y^e Peace for Kent County, was accused by John Brinkloe of High Treason, and y^t y^e Witnesses were Examined before five Justices of y^e Peace, & y^t Curtis upon y^e Examination, was Comitted.

Wm. Berry, one of y^e Justices of Kent County, & George Martin. High Sheriff of y^e said County, being in towne, were sent for to y^e Councill: the Councill asked them if they knew any thing of Jno. Curtis being accused of Treason, tould y^e board they were at y^e Examination: The Councill desired they would give under their hand what they Could remember of y^e Examination; The w^{ch} they did.

Ordered that a Warr^t be sent to y^e Justices of Kent County, for y^e Security of Curtis, and sending y^e Examinations with all speed to y^e Councill.

Henry Reynolds being bound at y^e last Prov^{ll} Circular Court held at Chester, in four hundred pounds penalty, to make his personall appearance before y^e next Prov^{ll} Circular Court held at Chester, if any be, or at next Prov^{ll} fixt Court at Philadelphia, to answer to an Indictm^t to be Exhibited against him By Wm. Rawson, for Wounding, beating and Killing of Mary King, his late serv^t maid, as appeared before y^e Councill by a Coppy of y^e Records from y^e aforesaid Court, The foresaid Henry Reynolds made his personall appearance

before y^e Presid^t & Councill, in order to discharge his aforesaid obligation, where no person prosecuted, Petitioned, or brought any Complaint against him.

The Councill adjourned till To-morrow Morning.

At a Meeting of y^e Councill in the Councill Room In Philadelphia y^e 26th 7th Mo., 1685.

PRESENT :

THOMAS LLOYD, Presid^t.

Chr. Taylor,	Wm. frampton,	Edw ^d Green,
Wm. Clark,	Wm. Wood,	Wm. Markham, Secre.

Vpon Information giving the Councill that a Woman in Philadelphia this morning, Came by an untimely Death, & that Griffith Owen, y^e Coroner, was Incapable by sickness to Officiate in his place, the Councill ordered a Comission for Henry Lewis to be Coroner untill further Order.

The Councill Adjourned till 3 in y^e afternoon.

POST MERIDIEM.

PRESENT :

THOMAS LLOYD, Presid^t.

Chris: Taylor,	Wm. Clark.	Edw ^d Green,
Capt. Tho: Holmes,	Wm. frampton,	Wm. Markham, Secre.

The Petition of Wm. Berry and George Martin, in y^e behalfe of themselves & those Justices of Kent County that Subscribed a request to y^e Councill, was read, and also y^e Request Requesting that y^e Councill would be pleased to Continue Wm. Clark a Justice amongst them, his Comission from y^e Gov^r to be Justice in Generall being Expired.

The Councill answered they would Consider of it.

The Councill adjourned till y^e 28th Ins^t, seaven in y^e Morning.

At a Councill in y^e Councill Roome in Philadelphia The 28th 7th Mo., 1685.

PRESENT :

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes,	Edw ^d Green,	Wm. frampton,
Chr. Taylor,	Wm. Clark,	Wm. Markham, Secre.

The Councill Considering y^e Request of y^e Justices of Kent County that was read the 26th Ins^t.

Ordered that Wm. Clark's Comission from y^e Prop^{or} & Gov^r, bearing date y^e 5th 6th Mo., 1684, for Justice of y^e Peace for this Province and Territories, be subscribed to Continue for one whole year longer, or till further order, and to Sett y^e Seale of y^e Province to it.

James Maxfield Requested y^e Councill that they would grant him a Lycense to Keep an ordinary in Kent County.

Ordered him One.

John Brinkloe of y^e same County, requested y^e like, and was granted.

Phillip Russell had granted y^e same to be kept at Lewis.

Wm. Phillips having obtained a Judgm^t against Edw^d Green in y^e County Court of New Castle, held y^e 21 & 22^d Days of y^e Last first month, for twenty-seaven pounds three shillings and Eight pence, being y^e supposed Remainder of y^e purchase money, is owing to Wm. Phillips for a Plantation sold by him to y^e s^d Edw^d Green, the Defend^t appealing to y^e Court at Philadelphia. Both parties appearing before y^e Presid^t and Councill and Submitting y^e finall Determination of y^e Difference between them to this board, the Councill upon through hearing of both and of what they could allege in their Respective behafes, Ordered that Edw^d Green shall at or before y^e 24th of y^e next tenth month, make Certaine pay of y^e Sum of twenty-two pounds, tenn Shillings, Current money of this Province, unto Wm. Phillips, and that upon such paym^t as before, The s^d Phillips shall make a sufficient Conveyance of y^e Premises to Edw^d Green, according to Law, and that the County Court Charges, & y^e Charges of this Board, shall be boare Equally by y^e said parties, and upon non-Compliance wit this order, Execution to be Issued forth accordingly.

The matter In Difference between Peter Gronendicke. Plan^t, & Alex. Humpheris, Defen^t, upon an appeale from y^e Court of y^e County of Kent, held y^e 11th 12th & 13th days of y^e first month, 1683-4, to y^e Gov^r & Councill Being heard before this board, and thoroughly Debated, both parties Present, Concluded that y^e Plantive in y^e appeale, has paid y^e 6000 lb. of Tobacco in Difference unto francis Whitwell, by order of y^e Deffend^t. This board doth therefore order that y^e Plantif according to his Express Covenants in his bond upon his appeale, pay all y^e Charges at this board, and all other Charges to be payd by y^e Def^t.

Wheras, there was a difference between Griff Jones & Edw^d Green, w^{ch} was submitted by them to be heard & Determined at this board, and through y^e Indisposition of Griffith Jones he could not appear, it is Referred to y^e next sitting of Councill unless Sooner accomodated.

The Councill Adjourned till further Order.

**Evidently 1685.*

At a Councill in y^e Councill Roome in Philadelphia y^e 5th 9th Mo., 1685.

PRESENT:

Capt. THOMAS HOLMES, Presid^t.

Chr: Taylor,
Jno. Symcock,

Wm. frampton,
Jno. Barnes,

Wm. Markham, Secre.

The Examination of Jno. Curtis, and Information of y^e Witnesses taken before y^e Justices of Kent County, was sent to the Councill according to an Order bearing date y^e 25th 7th Mo., 1685, was Read with a Letter from John Brinkloe, Clark of y^e County aforesaid.

Ordered y^t a Comission be forthwith made for Wm. Clark and Jno. Cann, to be Speciall Commiss^{rs} to Try John Curtis of Kent County, who stands accused of speaking of Dangerous & Treasonable words against y^e King.

The Gov^{rs} Letter to y^e Presid^t & Councill, Bearing Date y^e 19th 6th Mo., 1685, was Read.

The Petition of y^e Justices of y^e County of Philadelphia to this board was Read, Intreating they would be pleased to take y^e Gov^{rs} Letter into their Consideration, w^{ch} was directed to y^e Justices of Philadelphia.

Ordered that all Lycences for Ordinary Keeping be forthwith Called in.

Ordered y^t Publicq Notice be given to all y^e families that lives in Caves of Philadelphia to appear before y^e Councill y^e next sitting.

A Petition from y^e County Court of Philadelphia was read, setting forth that severall servants brought from England in y^e Last Ship that came hether, that are to serve in this province, and y^t y^e Master Intends to Carry them to Virginia, w^{ch} is Contrary to y^e Laws of the Province, Requesting y^e Councills Consideration of the same,

Ordered y^t y^e Messenger give notice to y^e M^r of y^e Ship to appear before y^e Councill to-morrow morning.

James Bradshaw's Comission for Chief Survey^r and Register of y^e County of New Castle, w^{ch} was ordered y^e 23^d 7th Mo. last, and bearing y^e same date, was this day signed by the Presid^t, Capt. Tho. Holmes, with y^e Consent of y^e Councill. (Tho. Lloyd w^{ch} was Presid^t at y^e time of y^e date of y^e Comission being at New York.)

The Petition of Joshua Hasting was Read, against Charles Ashcome. Referred to y^e next sitting of Councill, and a Sumons to be sent him by y^e Secretary to make his appearance.

A Letter from Tho. Usher bearing date y^e 4th 8th Mo., 1688*, was read.

Ordered that Tho. Usher and Henry Reynolds have a hearing before y^e Councill y^e next sitting.

Ordered That Sam^l Carpenter be desired to be at y^e Councill to-morrow morning.

The Councill adjourned till Eight to-morrow morning.

*Evidently 1685.

At a meeting of the Councill in the Councill Room In Philadel-
phia y^e 6th 9th month, 1685.

PRESENT:

Capt. THOMAS HOLMES, Presid^t.

Chris. Taylor,

Wm. frampton,

Wm. Markham, Secre.

Jno. Symcock,

Jno. Barnes,

Ordered that James Claypoole, Rob^t Turner, Sam^l Carpenter, John Jones, Wm. frampton, Patrick Robinson, John Test, Jno. Songhurst, be writt to, Desiring them to come forthwith to the Councill, they having urgent buisness with them about the Subscriptions.

The Persons above mentioned all Came to y^e Councill where they Discoursed about y^e Subscriptions. Concluded amongst themselves to meet together in y^e afternoon, to Consult about methods how to proceed in order to Discharge their Obligation, and give an acco^t thereof at y^e next sitting of y^e Councill.

James Skinner, M^r of y^e Pink Rebeca that was yesterday sent to to come before y^e Councill this morning, Came with the Indentures of y^e Servants mentioned in y^e County Courts.

Petition Read yesterday, they Rann to serve James Skinner from y^e Day of y^e Date untill their first arrivall in Virginia, or any other part of America, and after, for and during the Terme of four years.

Ordered that y^e Secretary give notice to Wm. Clark and John Cann, that they are appointed Commiss^s for y^e Tryall of John Curtis, that they may prepare themselves accordingly.

Ordered that y^e Secretary give notice to y^e Sherrieff of Kent County to prepare y^e County for y^e Tryall of John Curtis on y^e 24th Ins^t, by Commiss^s appoynted for that purpose.

Ordered a Generall Comission of the peace be Drawn for y^e County of Philadelphia, and to put in these persons following, Viz^t: James Claypoole, Wm. frampton, Hump. Murrey, Wm. Salway, John Revan, Lacy Cock, Wm. Wardner, Sen^r., Rob^t Turner, Jno. Moon.

The Councill Adjourned till y^e 16th Inst.

At a Councill held at y^e Councill Room in Philadelphia y^e 16th 9th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes,

John Symcock,

John Cann,

Chr. Taylor,

Jno. Barnes,

Wm. Markham, Secre.

Wm. frampton,

Ordered that a Comission be forthwith made, Impowring Rob^t Hall to be Coroner for y^e County of Bucks.

The Complaint of y^e friends, Inhabitants of Concord and Hertford,

At a meeting of the Council in the Council Room in Philadelphia
this 7th 9th month, 1853.

PRESENT:

Capt. THOMAS HOLMES, Presid.
Chris. Taylor, Wm. Hampton,
Jno. Symcock, Jno. Barnes,
Wm. Markham, Secre.

Ordered that James Claypoole, Rob. Turner, Sam^l Carpenter, John Jones, Wm. Hampton, Patrick Robinson, John Test, Jno. S. H. H. be writ to, Desiring them to come forthwith to the Council, they having urgent business with them about the Subscriptions.

The Persons above mentioned all came to the Council where they Discussed about the Subscriptions. Concluded amongst themselves to meet together in the afternoon, to consult about methods how to proceed in order to Discharge their Obligation, and give an account thereof at the next sitting of the Council.

James Skinner, M. of the Pink Ribbon that was yesterday sent to the Council before the Council this morning, with the Indentures of the Servants mentioned in the County Court.

Patience Read yesterday, they came to serve James Skinner from the Day of the Date until their first arrival in Virginia, or any other part of America, and after, for and during the Term of four years.

Ordered that the Secretary give notice to Wm. Clark and John Cunn, that they are appointed Comis^s for the Trial of John Curtis, that they may prepare themselves accordingly.

Ordered that the Secretary give notice to the Sheriff of Kent County to prepare the County for the Trial of John Curtis on the 24th Inst, by Comis^s appointed for that purpose.

Ordered a General Commission of the peace be drawn for the County of Philadelphia, and to put in these persons following, Viz: James Claypoole, Wm. Hampton, Humph. Murry, Wm. Selway, John Rowan, Lacy Cock, Wm. Warder, Sam^l, Rob. Turner, Jno. Moon.

The Council Adjourned till the 10th Inst.

At a Council held at the Council Room in Philadelphia the 10th
9th Mo., 1853.

PRESENT:

THOMAS LLOYD, Presid.
Capt. The Holmes, John Symcock,
Chris. Taylor, Jno. Barnes,
Wm. Hampton, John Cann,
Wm. Markham, Secre.

Ordered that a Commission be forthwith made, Impowering Rob. Hall to be Coroner for the County of Bucks.
The Complaint of the friends, Inhabitants of Concord and Hartford,

against the Indians, for y^e Rapine and Destructions of their hoggs was Read.

Ordered that y^e Respective Indian Kings be sent for to y^e Council with all speed, to answer their Complaint.

The Inhabitants of the Welch Tract Complaines of the same, by an Endorsement on y^e aforementioned Complaint.

The Council adjourned till 4 in y^e afternoone.

POST MERIDIEM.

The Council mett and adjourned till Seaven to-morrow morning.

At a Meeting of the Council in y^e Council Room In Philadelphia y^e 17th 9th month, 1685.

PRESENT :

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes,	John Symcock,	John Cann,
Chr. Taylor,	Wm. frampton,	Wm. Markham, Secre.
Jno. Barnes,		

The Petition of Joshua Hastings against Charles Ashcome, that had been Read y^e 5th Inst^t, was Ordered to be Read againe, to w^{ch} Charles Ashcome appeared, according to a summons dated y^e 6th Inst^t; it was Concluded no proper place to End their Differences it being matter of Law:

The Petition of Tho. Bud was Read, Requesting a Speciall Court to End a Difference between Phill. Thlenman & himself.

The Council sent for Phill. Thlenman, and advised them both to goe together and try if they Could friendly End it between themselves, y^e w^{ch} they did.

The undertakers of y^e Subscription Came to y^e Council according to their promise y^e Sixth Inst^t, and Presented their Report, with a list of y^e Subscribers and what subscribed, y^e whole amounting to 201, 19, 2, to w^{ch} Chris. Taylor at y^e board subscribed 6, 00, 00. The Council Comended their Deligence, and promised them their furtherance and Assistance therein.

The Petition of Sam^l Carpenter was Read, Requesting a Speciall Court to try his Servant that Stands accused of felony.

The Council adjourned till 5 in y^e afternoone.

POST MERIDIEM.

PRESENT :

THOMAS LLOYD, Presid^t.

Capt. Tho. Holmes,	Jno. Cann,	Jno. Barnes,
Wm. frampton,	Pet ^r Alrichs,	Wm. Markham, Secre.
Chr. Taylor,		

The Case sett forth in Sam^l Carpenter's Petition being Considered off, is Referred to y^e Due Course of Law, according to his Commitment.

The Gov^r Letter to y^e Magistrates of Philadelphia being Read, bearing date y^e 26th 5th Mo., 1685, by Request of their Petition, Read y^e 5th Inst^d, with y^e Letter afores^d, and publiq notice being then given to all y^e familys living in Caves to appeare before the Council at their next sitting, but none obeying y^e said order; It is now further Ordered that notice be againe Published that the Council will put y^e Gov^r Order relating to y^e Caves in Execution in one month's Time.

Ordered y^t a Comission be forthwith drawne to authorize John White to be Attorney Gnall for y^e Prosecuting of Jn^o Curtis of Kent County, who Stands accused of Speaking of Dangerous and Treasonable words against y^e King.

John Cann advising with y^e Council that were as he was Impowred by this board to Officiate as Register of y^e County of New Castle, in y^e Vacantcy of a Comission, Desire to know whether he may Deliver up the originall papers belonging to y^t Office to y^e person Comissionated, with all other things relating to it.

Their advice was that upon his Delivery of what Relates to y^e Register's Office to James Bradshaw, y^e now Register, he take his Receipt, w^{ch} shall be allowed as a sufficient discharge to him.

The Council adjourned till further Order.

At a Meeting of the Council in y^e Council Room In Philadelphia y^e 1^o 10th month, 1685.

PRESENT:

THOMAS LLOYD, Presid^t.

Capt. Tho: Holmes, John Barnes,
Chris: Taylor,

Wm. Markham, Secre.

A Letter from John Otter to y^e Presid^t, bearing date y^e 26th 9th Mo. last, was Read, Requesting that a Speciall Comission be granted for y^e Tryall of David Davis the next Court, who is a Prisoner in y^e County of Bucks, on suspition of killing his serv^{ant}.

The Council having Considered the same, and to y^e End that Justice might be speedly dispatched, and y^e Matter being approved of, they unanimously agreed that a Comission be Expeditiously prepared for y^e authorising & Impowring of James Harrison, Arthur Cook, Tho. Janney, Wm. Yardley, Wm. Biles, to be speciall Comiss^{rs} to hear and Determine all heinous and Enormous Crimes that shall be brought before them in y^e County of Bucks, in a Court there to begin on y^e 10th Inst^d, by them to be held.

The Secretary Reporting to y^e Council how y^t y^e Grand Jury for y^e County of Kent Returned by vertue of a Comission directed Specially to Wm. Clark and Jno. Cann, for the Enquiring, hearing and

Determining of an accusation of Treasonable words uttered by Jno. Curtis of y^e said County, against y^e King, brought an Ignoramus upon the bill of Indictment Preferred against him; and further, being informed that the said John Curtis was Discharged without good Security given by him for y^e Peace towards y^e King, and good behaviour towards all y^e King's Liege people.

Ordered that Instructions be speedily sent hence, Directed to Wm. Dervall, Jno. Briggs & Tho. Willson, or any Two of them, whereoff Wm. Dervall to be One, to send for y^e s^d John Curtis before them, and to Receive of him a Recognizance to y^e King in y^e sum of Two hundred pounds, with two sufficient Suretys, Each in one hundred pounds, Joyntly and severally, for his good abearing towards the King and all his Leige people for y^e Space of twelve months, and upon his Refusall, to Comit him to Prison.

Ordered that a New Comission be sent downe to y^e County of Kent, & y^e Jno. Curtis be left out of it.

The Councill adjourned till further Order.

At a Meeting of the Councill in the Councill Roome In Philadelphia y^e 9th 11th Mo., 1689*.

PRESENT:

Capt. THOMAS HOLMES, Presid^t.

Chris: Taylor,

Wm. Southersby,

Wm. Markham, Secre.

Wm: frampton,

The Secretary Reporting to y^e Councill that in y^e Chronologie of y^e almanack sett forth by Sam^l Atkins of Philadelphia, & Printed by Wm. Bradford, of y^e same place, there was these words, (the begining of Governm^t here by y^e Lord Penn,) the Councill Sent for Sam^l Atkins, & ordered him to blott out y^e words Lord Penn; & likewise for Wm. Bradford, y^e Printer, and gave him Charge not to print any thing but what shall have Lycence from y^e Councill.

Information being given the Councill by Wm. Southersby and Wm. frampton, that severall persons appoynted Justices in y^e Comission for Kent County, Dated y^e 10th 10th Mo., Last, will not Officiate, and others therein mentioned will but seldome be there, to y^e hazard of having not a Sufficient number to Keep Court;

Ordered that a New Comission be Drawn against y^e 15th Inst^t, Inserting Wm. Southersby, Wm. frampton, Wm. Berry, Jno. Briggs, Wm. Winsmore, Tho. Hesherd, Mich. Wotton, Jno. Walker, Tho. Willson.

Ordered y^t the Secre. give notice to all persons selling strong liquor by Retaile in Philadelphia, bring their Lycences to y^e Councill y^e 15th Inst^t, after w^{ch} time they are to be no longer in force, in order to have them Renewed, if thought fitt, & all persons y^t are desirous to have Lycence to Keep Ordinarys, may make their application to y^e Councill y^e same time.

The minutes of y^e Councill of y^e 1^o 10th Mo., was Read, with y^e Instruction made thereupon, w^{ch} was presented by y^e Secretary to y^e Councill for signing. But the Councill Refused, in regard it was passed when Presid^t Lloyd Satt Presid^t, and y^t they knew not what Reasons he had to refuse signing it.

Ordered that Notice be given to as many of y^e Councill as Possible, that they meet y^e next Sixth day, it being y^e 15th Inst^t.

Ordered y^t a Warr^t be made for John Hill to be high Sheriff of y^e County of Sussex for one whole year, or till further Order.

Ordered that Symon Irons have a Warr^t to be Ranger for y^e County of Kent, to be in force for one whole year, or till further Order.

Ordered y^t a Warr^t be made for Jno. Barnes to be Ranger for y^e County of Philadelphia, to be in force for one whole year, or till further Order.

Ordered y^t if Jno. Rhodes have not a Warr^t to be Ranger for y^e County of Sussex, that there be One made for Henry Bowman.

The Councill adjourned till y^e 15th Inst^t.

At a meeting of y^e Councill in y^e Councill Room in Philadelphia y^e 15th day of y^e 11th Mo., 1685.

PRESENT:

Capt. THO. HOLMES, Presid^t.

Chri: Taylor, Wm. Southersby, Wm. Markham, Secre.

Wm. frampton,

The Comissions that was ordered to be Drawn at y^e last sitting of Councill, was this day Signed by y^e Presid^t, Viz:

A Comission for the Justices of Kent County.

A Comission for Jno. Hill to be High Sheriff of y^e County of Sussex.

A Comission for Symon Irons to be Cheiff Ranger of y^e County of Kent.

John Barnes refuseing y^e Warr^t for Renger of y^e County of Philadelphia, y^e Councill Ordered Wm. Markham in his Roome.

John Roads, not being found upon Record to have had a Warrant for Ranger for Sussex County, The Comission was signed for Henry Bowman.

John Persons, Tho. Persons, and Tho. Dikenson, that were Witnesses to a letter of Attorney bearing date y^e 26th 7th Mo. Last, Impowring Andrew Robinson of West Jersie, and Wm. frampton of Philadelphia, Joyntly and Severally, from James Wallis, Charles Jones, ju^r., Rich. Crossly, Dan^l Guillim, Tho. Taylor, (all of Bristoll,) were attested to y^e truth of y^e same; y^e Letter of Attorney was Endorsed and sealed with y^e Province Seale, vid Book Ent.

According to y^e Order sett forth y^e last sitting of Councill, that Ordinary Keepers within Philadelphia should bring in their Lycences

on this day, there brought in Tho. Hotton, Tho. Holina, Ge. Bartholmew, Benja. Chambers, Mary Lichfield, their Lycences and had them Renewed, only Mary Lichfield they granted but for four month, & that was to give her time to gett in her Debts, & provid herselfe some other way of Living.

The Councill adjourned till Eight to-morrow morning.

At a Meeting of y^e Councill in the Councill Roome The 16th 11th Mo., 1685.

PRESENT:

Capt. THOMAS HOLMES, Presid^t.

Chris: Taylor, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton, Jno. Barnes,

Ordered that y^e Summs here Sett Downe be taken as security for Each person against who it stands, for his Keeping good Orders in his Ordinary, with one to be joyned with him, Viz:

Wm. frampton, whose house was Lycenced in y ^e	} £50
Stead of Holiman's Lycence.	
Tho. Hooton,	50
Benj. Chambers,	50
Alce Guest,	20
Geor. Bartholmew,	20
Mary Lichfield,	20

Ordered y^t Joseph Knight have 3 months time given him to sell of the Drink & Provision he has in his house, & afterwards to provide some other way for a Lively hood, & not to Keep Ordinary longer in y^e Towne.

Ordered y^t a Comission be Drawne to Impowre Samⁿ Hersent to prossecute all offenders against y^e penall Laws of this Province, & to search for those y^t are on Record Convicted, & prosecute them if y^t have not satisfied y^e Law.

The Councill adjourned till y^e 1st 12th Mo. Next.

At a Meeting of the Councill in the Councill Room at Philadelphia y^e 1st of y^e 12th Mo., 1685-6.

PRESENT:

Capt. THOMAS HOLMES, Presid^t.

Chis: Taylor, Wm. Southersby, Jno. Barnes,
Wm. frampton, Edw^d Green, Wm. Markham, Secre.

The Persons appointed by Comission to be Justices for y^e County of Philadelphia, bearing date y^e 6th 9th Mo., 1685, being Summonsed by y^e Sherriff to appeare before y^e Councill to be attested, they not having yett satt by Virtue of this mentioned Comission, There appeared and were attested:

Wm. frampton,	Hump. Morry,	Lacy Cock,
Jam. Claypoole,	Wm. Salway,	John Baven.

Robt Turner appeared but Refused to be attested, desiring to be Excused; he would give his Reasons some other time.

Sam^l Hersent, Attorney for y^e County of Philadelphia, was attested in to y^e Office.

The Petition of y^e Secretarys was Read, Requesting a Comission to seise Ships & Vessells, Either by myselfe or by my Warr^t, directed to whom I shall think fitt, It was granted and a Comission signed.

The Petition of Charles Pickerin was Read, about his Land being Survey'd away at Chester. It was Referred to y^e Councill.

Wm. frampton's Petition was Read, Requesting y^e Removall of y^e Caves before his Door, he being about building a Wharfe.

It was Granted, and a fortnight's time given for y^e Removall of y^e Goods out of y^e Caves.

Adjourned till y^e 3^d Inst^d by Eight in y^e Morning.

At a Meeting of y^e Councill y^e 3^d of y^e 12th Mo., 1685-6.

PRESENT:

Capt. THOMAS HOLMES, Presidⁿ.

Wm. frampton,	Wm. Southersby,	Wm. Markham, Secre.
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Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome in Philadelphia The 30th of y^e first month, 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Frampton,	Peter Alrichs,	Wm. Markham, Secret ^r .
Edw ^d Green,	John Roades,	

The Returne of y^e Member of Councill and Members of Assembly for y^e Next Ensuing yeare for y^e County of Philadelphia was Read, and were:

FFOR PHILADELPHIA.

ROBERT TURNER, to serve in Councill for y^e next three years.

ASSEMBLY :

John Songhurst, Griffith Owen, John Goodson,
James Claypoole, Andrew Binkson, Tho. Duckett.

The Returne of Sussex County was Read: the Persons Returned were:

WM. CLARK, to serve in Council for y^e Next Three Years.

ASSEMBLY :

Samⁿ Gray, Hen. Bowman, Albert Jacobs,
John Vines, Norton Claypoole, Hen. Stricher.

The Returne of Kent County was Read. The Persons returned were:

WM. DERVALL, to serve in Council for y^e Next Three Ensuing Years.

ASSEMBLY :

Wm. Berry, Rich^d Willson, John Walker,
Jno. Brinkloe, Rob^t Bedwell, John Bradshaw.

Wm. Clark and Wm. Dervall were attested and subscribed thereunto, & then took their places in y^e Council.

Joshua Barkstead's Letter was Read, bearing date 17th 1^o Mo., 85-6, Requesting a Discharge from his Office of Coroner of Sussex County. The Council Reply'd a Speedy Course should be taken for his Discharge.

Adjourned till Eight to-morrow morning.

POST MERIDIE.

PRESENT:

At a Meeting of y^e Council in the Council Room the 31 of y^e 1^o Mo., 1686.

PRESENT :

THOMAS LLOYD, Presid^t.

Wm. Darvall, Ph: Pemberton, Pet^r Alrichs,
Wm. frampton, John Roades, Wm. Clark,
Edw^d Green, Wm. Southersby, Wm. Markham, Secretary.
Tho. Janney, Nich. Newlin,

The Returne of Chester was Read; the persons Returned were:
JOHN SYMCOCK, to serve in Council y^e 3 Years next Ensuing.
FRANCIS HARRISON, to serve in Council in Room of Wm. Wood Deceased.

They were both attested and Subscribed thereunto, then took their places in Council.

ASSEMBLY :

John Blunston, George Maris, Caleb Pewsey,
Rob^t Wade, Barth. Coppock, Samⁿ Lewis.

The Returne from Bucks County was Read; y^e persons Returned were:

ARTHUR COOK, to serve for a member of Councill for y^e three next Ensuing Years.

ASSEMBLY:

Joseph Growden,	Wm. Yardley,	Joshua Hoopes,
Will'm Biles,	Jno. Otter,	Jno. Rowland.

Robert Turner Came in to y^e Councill, was attested and Subscribed thereunto, and took his place at y^e board.

Arthur Cook Came in, was attested and subscribed, and took his place at y^e board.

The Councill appointed a Comittee to Inspect y^e Laws & Receive Complaints, and Report y^e same to y^e Councill, Viz': being one of Each County:

COMITTEE:

Rob' Turner,	Phi. Pemberton,	John Symcock,
John Cann,	Wm. frampton,	Wm. Clark.

The Board understanding by the Respective members of Severall Counties, that severall appeals were granted from their County Court to y^e next Prov^l Court at Philadelphia, Upon Which y^e Councill did, according to Law, nominate three persons, Viz: Arth. Cook, Wm. Clark & John Cann, to be Comissionated Prov^l Judges, and Ordered the Comission to be forthwith Drawn.

Adjourned till three in y^e afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.

Wm. Clark,	Pet' Alrichs,	Tho. Janney,
Jno. Symcock.	Edw ^d Green,	Nich. Newlin,
Wm. frampton,	Wm. Southersby,	Arth. Cook,
Wm. Darvall,	fran. Harrison,	Phi. Pemberton,
John Cann,	John Roades,	Wm. Markham, Secre.
Rob' Turner,		

The Comission from y^e Gov' to y^e Prov^l Councill, Impowring them to act in his Stead, with y^e Memorendum on the back side therof, was Read.

Samⁿ Hersen, High Sheriff of Philadelphia, was sent for by the Councill to Come forthwith before them, and to bring with him his Comission. He Came, but Excused himselfe for not bringing his Comission, telling the Presid' and Councill y^t y^e Chest wherein y^e Com^{on} was, was Lock'd up in a Roome, and y^e man y^t had y^e Key was out of Towne.

The Councill Ordered him to bring it to-morrow morning.

A Letter from John Brinkloe was Read, Requesting to be Dismissed from his Office as Clark of Kent County.

Ordered y^t Wm. Berry be Comissionated in his Roome, and y^t his Comission be forthwith Drawne.

Adjourned till Eight to-morrow Morning.

THOMAS LLOYD, Presid.

John Symcock,

Wm. frampton,

Tho: Janney,

fran. Harrison,

Wm. Clark,

At a Meeting of the Councill in y^e Councill Room at Philadelphia y^e 1st day of y^e 2^d Mo., 1686.

PRESENT:

THOMAS LLOYD, President.

Wm. Clark,	John Roades,	Nich. Newlin,
Wm. frampton,	Tho. Janney,	Arth. Cook,
John Cann,	Rob ^t Turner,	fran. Harrison,
Per ^r Alrichs,	Wm. Darvall,	Edw ^d Green,
Jno. Symcock,	Wm. Southersby,	Wm. Markham, Secre.
Phi. Pemberton,		

According to an Order yesterday, Sam^l Hersent Came before y^e Councill, and brought with him his Comission for high Sherrieff of y^e County of Philadelphia, w^{ch} was dated y^e 23^d of y^e 8th month, 1684, and was made to Stand in force for One whole year, or till further Order; he was Ordered to withdraw, and then y^e Presid^t putt it to y^e Vote whether Sam^l Hersent should be authorized to Execute the Office of High Sherrieff untill furtler Order. It was Carried in y^e Affirmative; the Order Subscribed on y^e Old Comission and y^e Seal put to it, y^e w^{ch} is Recorded.

The Comission formerly granted to Sam^l Hersent, bearing date y^e 15th 11th Mo., 1685-6, Impowring him to be Attorney for y^e County of Philadelphia, to prosecute all offenders that break y^e penall Statutes of this Province, was Read. It was put to y^e Vote whether a Sheriiff should be an attorney in the same Court he is Sherrieff: was Carried in y^e Negative, Nemine Contradicente, with an Order thereunto to be made.

Ordered by the Councill, y^t no Clark of any Court within this Province and Territories should be allowed to plead as an attorney any Cause in y^t Court he is Clark off.

It was put to y^e Vote whether there should be an Order of Councill That there should be tenn days Respite between Judgment and Grant of Execution in all Civill Causes between man & man, In all Courts within this Province and Territories, it was Carried in y^e Affirmative. The Makeing the Order was Referred to y^e next sitting of Councill.

Adjourned till Seaven to morrow Morning.

At a Meeting of the Councill in The Councill Room the 2^d day of y^e 2^d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,	John Cann,	fran. Harrison,
Wm. frampton,	Tho: Janney,	Wm. Clark,
Wm. Dervall,	Pet ^r Alrichs,	Jno. Roades,
Edw ^d Greene,	Wm. Southersby,	Wm. Markham, Secre.
Rob ^t Turner,	Nich. Newlin,	

The last minute of yesterday's Councill was Read, about Respiting Execution after Judgm^t, and there upon was ordered y^t there should be tenn days Respite between Judgm^t given in y^e County Courts within this Province and Territoryes in all Civill Causes, and signing the Execution thereof, and that in the Prov^l Court no Execution shall be served untill Eight days after Judgm^t given.

John Roades being Sick, Requested leave of this board to withdraw, w^{ch} was granted.

Severall Bills to be past into Law were Read three times this day and passed, And Ordered they should be promulgated, w^{ch} were as followeth, Verbatim:

The President and freemen in Prov^l Councill Mett, at Philadelphia, the thirtyeth day of y^e first Month, One Thousand six hundred Eighty Six, have prepared to be published according to Charter, these following Bills, for the notice and Concurrence of the freemen in Assembly to meet the Tenth day of y^e next Third month, in y^e Towne of Philadelphia, in the forme and Style of Laws, then and there to be Confirmed, amended or rejected, as the Genall Assembly shall in their Wisdom See meet:

1. Be it Enacted by the Authority aforesaid, that these following Chapters and paragraphs be additionall Laws of y^e said Province & Territorys thereunto annexed, that is to say; all those Laws made at Chester by y^e Assembly, in y^e 10th Month, 1682, and at Philadelphia in y^e first Month, 1683, and at y^e same place in the 8th month, 1683. and at New Castle in y^e 3^d month, 1684, and at Philadelphia y^e 3^d Month, 1685, shall, and are hereby Continued to Stand and be in full force and Vertue untill y^e End of the first Session of y^e next Generall Assembly, and afterwards untill the Publication of Other Laws to be past in the next Genall Assembly, be had, made and done, Except such Laws, or part of Laws, as are by any of y^e following Laws Explained, Varied or added unto, and that these Bills Ratisfied by the Genall Assembly, shali Continue in force untill y^e publication of Laws in the next Generall Assembly following.

2. Bee it Enacted by y^e Authority aforesaid, that Every Offender Legally Convicted and fined for the breach of any penall Law, shall forthwith pay his or their fine or penalty, or give Security Speedily to doe it; but in Case it be not paid, or secured to be payd, as above sayd, that then y^e Court or Justice who Imposed the fine, shall forthwith, by Warrant directed to y^e Sherrieff or Constable of y^e respective place, cause the same, with Costs that shall arrise thereupon, to be

Levyed on y^e Goods or Chattells of y^e party offending, by distress and Sale, rendring the overpluss to the party; but if noe goods Can be found to satisfye such fines, that then the Sheriff or Constable shall take and Secure the body of such person til satisfaction be made, and y^e Sheriff or Constable soe Collecting the said fines, shall make returne to the next County Court, or such Officer as the Gov^r and Prov^l Councill shall appoint, to y^e End such fines may be distributed according to Law.

3. Whereas y^e Law for Deffraying the respective Charge of Each County, Authorise y^e County Court to Assess in Open Court y^e necessary Charge of y^e same, It is Enacted by y^e Authority aforesaid, y^e the said Courts are hereby further Impowred to Grant their Warr^t upon non payment for y^e Levyng of y^e said Assessments by distress and Sale of Goods, rendring y^e overpluss to the Owners.

4. Whereas al Charters, Gifts, Grants and Conveyances of Land, and all Bills, Bonds, & other writings, w^{ch} by y^e 44 Chapter of Laws made at Upland, were required to be Registred or Inrolled in y^e public Inrollem^t Office, according to y^e Mannor, & within y^e time there prescribed, under y^e penalty of being Voyd in Law, yet notwithstanding, were not brought to y^e Inrollem^t Office to be accordingly recorded: Now for y^e satisfaction of severall purchasers of Lands and Inhabitants within this Province and Territories, who, some of them being under a mistake concerning y^e Intent of y^e said Law, Others under Considerable Inumbrances and a sort of Inconsideratness upon their begann Settlement, have neglected and lapsed y^e time, to y^e manifest hazard & making Voyd such respective Instruments or writings.

It is hereby Enacted and Declared, by the president and Prov^l Councill, with y^e freemen, in Assembly Mett, that all such Charters, Gifts, Grants, & Conveyances of Land, and all such Bills, Bonds, Spetialty's tho' they were not Legally Recorded, that they are hereby reputed, and shall be deemed and Stand authentique in Law, and are Indemnified hereby; provided that all such Charters, Gifts, Grants & Conveyances of Land, w^{ch} are or shall be, or Come into this Province & Territories, shall be brought to be registred in the Respective Inrollement Office for this Province & Territories, within six months after y^e five and twentyeth day of y^e next Third Month, otherwise such Charters, Gifts, Grants & Conveyances of Land to be Voyd in Law, any thing in y^e said 44 Chapter of Laws for the making Null such writings & Instruments to y^e Contrary notwithstanding.

5. For the a Voyding of to frequent Clamors and manifest Inconveniences w^{ch} usually attend mercenary pleadings in Civill Causes, It is Enacted by y^e authority aforesaid, that noe persons shall plead in any Civill Causes of another, in any Court whatsoever within this Province and Territories, before he be Solemnlye attested in open Court, that he neither directly nor Indirectly hath in any wise taken or received, or will take or receive to his use or benefit, any reward whatsoever for his soe pleading, under y^e penaltye of 5lb. if the Contrary be made appear.

The President adjourned y^e Councill till further Ord^r.

At a Meeting of y^e Councill at y^e Councill Roome in Philadelphia y^e 3^d of y^e 2^d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Jno. Symcock,

Wm. frampton,

Wm. Darvall,

Wm. Clark,

Pet^r Alrichs,

Tho. Janney.

John Cann,

Jno. Roades.

Wm. Markham, Secre.

fran: Harrison,

Ordered that Comissions be drawne for such Counties whose Comissions of y^e Peace are expired or upon Expiring.

Edwd. Green, one of y^e Councill, Complayneth against Wm. Phillips for not performing his part according to Order of Councill, y^e 28th 7th Mo., 1685, The Councill did this day order that y^e Difference Depending between Edwd. Green and Wm. Phillips should be heard before Peter Alrichs and John Cann, and that they should Report the same to the Councill.

Report being made by y^e Members of Bucks County, That Rich^d Ridgway is a fitt person for y^e Keeping an Ordinary in y^t County, a Lycence was Ordered accordingly.

Ordered y^t John Barnes be sent for to appear the next sitting of Councill, and give Reasons for his absence, or suffer fine.

The Presid^t. adjourned y^e Councill till 9th Inst^t.

At a Meeting of the Councill in y^e Councill Roome The 9th of y^e 2^d Mo., 1686.

PRESENT:

WM. CLARK, President, Chosen by y^e Councill.

Arth. Cook,

Edw^d Green,

John Cann,

Wm. frampton,

John Barnes,

Wm. Markham, Secre.

Wm. Southersby,

After y^e Members of Councill were Sett, the Comission from y^e Gov^r Impowring them to Choose one from amongst themselves in y^e absence of Tho. Lloyd, to be their Presid^t, was Read, and they unanimously Chose Wm. Clark.

The Petition of Widdow Hilliard and John Hilliard, Jun^r, against Griffith Jones, was Read, setting forth y^t the s^d Griff. Jones having obtained an Execution ag^t y^e Estate of John Hilliard, Deceased, would not Execute y^e same on no other part of y^e s^d John Hilliard Estates then the Plantation on w^{ch} shee, y^e Widdow of y^e s^d Hilliard, and her Children lives on, tho' there be enough in other places to satisfie y^e Execution of y^e Effect of Deceased's Estates.

The Councill Considering the same, was pleased to send for y^e Sherriff of Kent County, who was then in Philadelphia, and told him their opinions of y^e Matter, w^{ch} was, That if there be other Effects to

satisfie Griffith Jones's Execution to be found, that it ought not to be served on y^e Plantation the Widdow and Children now lives on.

The Petition of Cornelius Bom, Requesting a Lycence for his Keeping an Ordinary; it was Refused.

The Petition of Jacob Vandervere was Read, setting forth y^e illegall and un-Christian serving an Execution on his goods, and turning him, his wife and Children out of y^e Doors, and not Leaveing them any thing to susteine nature. Ordered y^e a Coppy thereof be sent to y^e Sherriff, another to y^e Clark of New Castle County, Requiring them to appeare before y^e Councill to answeere the same y^e Tenth day of y^e next Third month.

The Petition of John Walker was Read, Requesting a Lycence to keep an Ordinary at New Castle.

Ordered he first make satisfaction to y^e Secretary for the abuse he gave at his house at New Castle.

Ordered that y^e Comissions following be forth Drawne and signed by y^e Now President, Viz^t:

for { Sam^l Land, High Sherriff of New Castle County.
 { Rob^t Robertson, Coroner of New Castle County.
 { Joshua Barkstead, Atturney Genall for y^e County Sussex.
 { John Vines, Coroner of y^e County of Sussex.
 { Jno. Bradshall, Atturney Gen^l for Kent County.

The Petition of John Briggs was Read, Requesting that he might be Dismist from be any longer a Justice.

Ordered that he be left out of y^e next Comission.

Adjourned till further Order.

At a Meeting of the Councill in y^e Councill Room In Philadelphia y^e 14th of y^e 2^d Mo. 1686.

PRESENT:

WM. CLARK, Presid^t, Chosen by y^e Councill.

Jno. Symcock, Edw^d Green, Wm. Markham, Secre.
 Arth. Cook, John Cann,

There was signed at y^e board these Comissions following, Viz^t:

Jno. Vines, Coroner of Sussex County.
 Sam^l Land, Sherriff of New Castle County.
 Rob^t Robertson, Coroner New Castle County.
 Jno. Bradshaw, attorney for Kent County.
 Joshua Barkstead, Atturney for Sussex County.

Ordered that the Comissions following be forthwith made and signed by y^e now Presid^t:

satiate Griffith Jones's Execution to be found, that it ought not to be served on y^e Plaintiff the Widow and Children now live on.
The Petition of Cornelius Bone, Requesting a Licence for his Keeping an Ordinary; it was Refused.

The Petition of Jacob Vanderveer was Read, setting forth y^e illegal and un-Christian serving an Execution on his goods, and turning him, his wife and Children out of y^e Doors, and not leaving them any thing to sustaine nature. Ordered y^e Copy thereof be sent to y^e Sheriff, another to y^e Clerk of New Castle County, Registering them to appear before y^e Council to answer the same y^e Tenth day of y^e next Third month.

The Petition of John Walker was Read, Requesting a Licence to keep an Ordinary at New Castle.
Ordered he first make satisfaction to y^e Secretary for the abuse he gave at his house at New Castle.

Ordered that y^e Commissions following be forth Drawne and signed by y^e Now President, Viz:

Sam^l Land, High Sheriff of New Castle County.
Rob^t Robertson, Coroner of New Castle County.
Joshua Barkstead, Attorney General for y^e County Sussex.
John Vines, Coroner of y^e County of Sussex.
John Bradshaw, Attorney Gen^l for Kent County.

The Petition of John Briggs was Read, Requesting that he might be Dismiss from be any longer a Justice.
Ordered that he be left out of y^e next Commission.

Adjourned till further Order.

At a Meeting of the Council in y^e Council Room in Philadelphia
y^e 14th of y^e 2^d Mo. 1686.

PRESENT:
WM. CLARK, Presid^t, Chosen by y^e Council.
John Symcock, Edw^d Green,
Arch^d Cook, John Cann,
Wm. Markham, Secy.

There was signed at y^e board these Commissions following, Viz:
John Vines, Coroner of Sussex County.
Sam^l Land, Sheriff of New Castle County.
Rob^t Robertson, Coroner New Castle County.
John Bradshaw, attorney for Kent County.
Joshua Barkstead, Attorney for Sussex County.

Ordered that the Commissions following be forthwith made and signed by y^e now Presid^t:

for { Tho. Usher, High Sheriff, Chester Countys.
 John Vines, Sussex.
 John Martin, Kent.
 Sam^l Land, New Castle. } Waterbaly's.

The Comissions were signed by Wm. Clark.

Adjourned till further Order.

The 28th of y^e 2^d Mo., 1686.

The Secretary having Rec^d a Letter from y^e Gov^r, Directed to y^e Presid^t and Councill, gave Order to y^e Messenger, Thom. Clifford, to give notice to as many Members of the Councill as possible, that they meet at y^e Councill Room in Philadelphia y^e 30th Inst^t, by tenn in y^e forenoon.

The 30th of y^e 2^d Mo., 1686.

THERE METT.

Robert Turner,
 Wm. Frampton,

Edwd. Green,
 John Barnes,

Wm. Markham, Secre.

The Gov^r Letter was Read to them, w^{ch} bore Date y^e 21, 8 Mo., 1685.

The Secretary Related to them the sad Complaint y^e passenger had made that Came in Conoway from England, bound to this place, but forced by y^e said Conoway to Bermudas, and from thence Came passengers to Philadelphia in a Sloop named y^e Endeavour, Belonging to Bermudas, Dan^l Styles Master, and further desired that they would advise whether the Shipp now Lying in Appogimany Creek, — Symson Master, be not Loyable to make good y^e Dammages Don to y^e Inhabitants of this Province by Conoway, they haveing both one owner, y^e Secretary supposing an Owner is to make Restitution for all Dammages that shall accrue by y^e unlaw actions of y^e Master.

But there not being a sufficient number of Members to make a quorum, they Choose no Presid^t, but agreed to meet againe y^e 3^d day of y^e 3^d month next, and in y^e meantime they would Consider of it.

This Evening Came in to Philadelphia Two Members of Councill for y^e County of Bucks, Viz': Arth. Cook & Tho: Janney; they Desired I would send y^e messenger to y^e members of Councill nigh at hand, to Request they would sitt to morrow in Regard their Buisness would not permitt their Stay in towne so long as y^e third Inst^t, the time before appoynted, the w^{ch} was accordingly don.

At a Meeting of the Council in y^e Council Room in Philadelphia y^e 1st day of y^e 3^d Mo., 1686.

PRESENT:

ARTHUR COOK, Presid^t., Chosen by y^e Rest.

Rob ^t Turner,	Tho. Janney,	Wm. Markham, Secre.
Wm. frampton,	Wm. Southersby,	

The Gov^rs Letter, Dated 21, 8 Mo., 1685, Directed to y^e Presid^t & Council, was Read.

Ordered y^t it be Read againe y^e Tenth Ins^t.

The Secre. Reporting the same to y^e Council he yesterday did to y^e Members present, Relating to y^e Passengers that in Rich^d Conoway Shipp Received Extreem bad Usage; whereupon it was Ordered that y^e Secretary should summons all such to appeare before the Council that should Come to his knowledg, y^t can give any Light in y^e Matter on y^e tenth Inst^t.

Robt. Turner & Wm. frampton were attested as Justices of y^e Peace for the Towne and County of Philadelphia, they having had a Comission Lately made.

Ordered y^t what members of Council could be gott in or near the Towne of Philadelphia on y^e 3^d Inst^t, should attest those Justices that have not been attested since their Last Comission, the Sheriff having had Orders to give y^e Justices notice thereof.

Adjourned till further Ord^r.

At a Meeting of the Present Member in or about y^e Towne, according to an Order of Council y^e 1st Ins^t, This 3^d of y^e 3^d Mo., 1686.

PRESENT:

Robt. Turner,	Jno. Barnes,	Edwd. Green.
Wm. frampton,		

They Chose no President, but they were attested before them according to y^e Order afore said, James Claypoole, Wm. Wardner, Wm. Sallaway & John Goodson, & then they broak up.

At a Meeting of the Council the Tenth of y^e Third Month, 1686, in y^e Council Room at Philadelphia.

PRESENT:

THOMAS LLOYD, Presid^t.

John Barnes,	Nich. Newlin,	Luke Watson,
Robt. Turner,	John Symcock,	Jno. Roades,
Tho. Janney,	Wm. Southersby,	Wm. Clark,
Arth. Cook,	Wm. Frampton,	Wm. Markham, Secre.
fran Harrison,		

Credible Information being given to this board that Luke Watson, one of y^e Members thereof, Lay under suspition of being Carnally Concerned with a Woman Serv^t to his Brother in Law, and Likewise y^e he stood at this Present, Bound to the Peace for his misdemeanors, they board Ordered him to withdraw, that they might Consult about y^e Information; after a Deliberate Consultation, The board ordered Luke Watson to be Called, and told him y^e he was accused of having Carnall Knowledge of his Brother in Law's woman Servant, and further, y^e he then stood bound to y^e peace for Misdemeanors, and therefore, untill he appeared in Law Innocent of those great Offence he was accused off, they Could not admitt him to Sitt amongst them, upon w^{ch} he went forth.

Henry Lewis Request the Councill that they would be pleased to appoynt one in his Roome in y^e Office of Coroner for y^e County of Philadelphia.

Ordered an other person be speedly Comissionated in his stead.
Adjourned Till 4 in y^e Afternoon.

POST MERIDIAM.

THOMAS LLOYD, Presid^t.

Rob ^t Turner,	Tho. Janney,	John Roades,
Wm. Clark,	Arth. Cook,	Wm. Southersby,
Wm. frampton,	Nich. Newlin,	John Symcock,
Wm. Darvall,	Pet ^r Alrichs,	fra. Harrison,
John Barnes,	Phi: Pemberton,	Wm. Markham, Secre.

John Otter and Norton Claypoole, Members of y^e Assembly, Came with a Message from them to acquaint y^e Councill that if they were at Leasure the Assembly would Come and wayt on them.

The Councill answered that it is now late, it being past Six, but by seaven to-morrow morning a Comittee would sitt to Receive from the Assembly, or any of them, their proposalls for y^e amendment or alteration of y^e promulgated bills according to Charter.

A Comittee was Chosen, Viz^t:

Wm. Clark,	Arth. Cook,	Tho. Janney,
Wm. Darvall,	Wm. frampton,	John Symcock.

Adjourned till 9 to-morrow forenoon.


The 11th of the 3^d month, 1686.

The Comittee Satt Early this Morning.

PRESENT:

Wm. Clark,	Wm. Darvall,	Tho: Janney,
Wm. frampton,	Jno. Symcock,	Wm. Markham, Secre.
Arth. Cook,		

Wm. Clark was Chosen into y^e Chear by y^e Rest.

[Vid 9th 2^d Mo., 86, John White. 

Wm Yardley and Wm. Biles Came to y^e Committee from y^e Assembly, told them their Message was the Councill had sent a Warr^t to one of their member, and they questioned the Councill's power therein, to w^{ch} y^e Committee made no Reply, nor they insisted further on it, but told y^e Committee that their Chief buisness was that whereas the Assembly Yesterday had sent to y^e Councill to Informe them y^t it were there Desire to speak with them, y^e Councill sent answer that they would appoint a Committee to Receive from them their proposalls, but the Assembly did not think a Committee was sufficient to Receive them, and y^t they wanted y^e promulgated bills. The Committee made answer they would Informe y^e Councill of their message, and then broak up.

At a Meeting of the Councill the 11th of y^e 3^d month, 1686, In the Councill Roome.

PRESENT:

THOMAS LLOYD, Presid^t.

Rob ^t Turner,	John Symcock,	Wm. Clark,
Tho: Janney,	Wm. frampton,	Wm. Southersby,
Ph: Pemberton,	Wm. Darvall,	John Cann,
Arth. Cook,	Jno. Barnes,	Pet ^r Alrichs,
fran. Harrison,	Jno. Roades,	Wm. Markham, Secre.

Wm. Clark Reported to y^e Councill y^e Message from the Assembly to y^e Committee.

The Councill Ordered John Symcock and Wm. frampton to goe with y^e promulgated bills to y^e Assembly.

Wm. frampton having urgent business, had Leave for this day's absence.

A Member of Councill moving that Luke Watson desired to know whether he was Dismissed from giving any further attendance for this Session, y^e Councill Debated y^e matter againe, and Concluded that this following written should be read unto him; he being Called in, and advised by y^e Presid^t of y^e Councill's Result in their Debate about his misdemeanors.

The Secretary Read what was Concluded on, as followeth, Viz^t:

Wheras, Information being given this board that henry Smith of y^e County of Sussex, hath attested that he did goe in fear of his life of Luke Watson, one of y^e members thereof, and it not appearing to this board that he is Legally Discharged from y^e same, The Councill Doth therefore think fitt that y^e said Luke Watson doe forbear to give his attendance at this board untill further Order.

James Claypoole & John Blunston Came from the Assembly; their Message was that it being y^e first time they have desired a Conference with y^e Councill, therfore they desired y^e Councill would appoint a time for it.

The Councill Answered that if the Assembly would adjourne a little they would adjourne to the place they Satt in, (meeting house,) this being not Large enough to Receive so great a number.

John Songhurst & John Goodson was sent from y^e Assembly; their Message was to Lett y^e Councill know y^e Assembly Received the Councill's answer to their last Message kindly, and Desired their meeting together might be an hour hence, that they might have that time to Reffresh themselves, most of them having been there Ever since six in y^e Morning.

The Councill Answered it were better to be don Immediately, for if they Seperated it would be a Longer time before they gott together againe.

The Councill adjourned from this Place to y^e Meeting house, in Order to Receive the proposalls of y^e Assembly, and for the service of this board.

In the Meeting house, the same Day as before.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Wm. Southerby,	Pet ^r Alrichs,
Wm. Darvall,	Phi. Pemberton,	Jno. Roades,
Tho. Janney,	Jno. Symcock,	Wm. frampton,
Jno. Barnes,	John Cann,	Nich. Newlin,
Robt. Turner,	fran. Harrison,	Wm. Markham, Secre.
Arth. Cook,		

The Assembly were Desired to Come in; there was a Long Debate between y^e Councill and them about privileges, but nothing Concluded off; y^e Presid^t ordered y^e Secretary to Read 13 parragraph of y^e Gov^r Charter to y^e People.

Adjourned till to morrow morning, or further Order.

POST MERIDIAM.

At the Committee.

PRESENT:

Wm. Clark,	Arth. Cook,	Wm. Darvall,
Jno. Symcock,	Wm. frampton,	Tho. Janney.

James Claypoole, Norton Claypoole, Wm. Byles, John Blunston Abra. Mann and John Brinkloe, being one Member of Assembly of Each County, were sent from y^e Assembly to Request y^e alteration of y^e Style of y^e Bills. (from y^e Presid^t &c.) The Comittee answered that they did believe y^e Councill would Condisent to their Request. The Comittee Rose.

At a Meeting of the Council in y^e Council Roome in Philadelphia
y^e 12th day of y^e 3^d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	John Cann,	Robt. Turner,
Jno. Barnes,	Arth. Cook,	Wm. Darvall,
Wm. Southersby,	John Symcock,	Wm. frampton,
Nich. Newlin,	Phi. Pemberton,	Wm. Markham, Secre.
fran. Harrison,	Tho. Janney,	

Wm. Clark Reported to y^e Council y^e Message from y^e Assembly to y^e Committee, Requesting y^e Alteration of y^e Stile of y^e bills, to w^{ch} y^e Council agreed.

The Petition of y^e french men sent over by Ballases was Read. Complayning ag^t Bellases agents for not performing y^e Contract between Bellases' & y^e frenchmen; it was Ordered y^t Arth. Cook, John Symcock, Robt. Turner, Wm. frampton, should Examine and Redress the same with all Expedition.

Adjourned till y^e 5th hour in y^e afternoon, By y^e Presid^t Order.

POST MERIDIAM.

The Committ^{ee}.

PRESENT:

Wm. Clark,	Arth. Cook,	Tho. Janney,
Wm. frampton,	John Symcock,	Wm. Markham, Secre.
Wm. Darvall,		

A Message from y^e Assembly came by two persons out of Each County, John White One, Requesting y^e alteration of y^e first bill, to w^{ch} they gave a note not signed by any, w^{ch} followeth Verbatim, Viz:

The Assembly desires these three amendments in y^e bill No. 1st Viz: after y^e word Except these words be added: (Such Laws as have been by former Law Repealed, and y^t such Laws shall be continued with y^e Variation, as by succeeding Laws have been Varied. 2dly. that the late Laws relating to y^e Killing Cow Calves, &c., and y^e Law Relateing to pipe Staves, be no longer Continued. 3dly. The Laws to Continue till Twenty Days after y^e rising of y^e next Gen^l Assembly, & no Longer.)

To w^{ch} y^e Committee answer'd they would Report y^e same to y^e Council, and y^t they might Expect their answer.

The Comittee Roase and y^e Council Sat.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Wm. Southersby,	Jno. Symcock,
Wm. frampton,	Robt Turner,	Jno. Cann,
Wm. Darvall,	Tho. Janney,	Wm. Markham, Secre.
Ph. Pemberton,	Arth. Cook,	

Wm. Clark Reports to y^e Councill y^e Message of y^e Assembly, Relating to y^e alteration of y^e first bill; y^e Paper they gave was Read, vid: this day's minutes of y^e Committee.

[Vid 9th 2^d Mo., 86.]

John White Presented himselfe to y^e Councill, told them he was now Ready to answer the Summons they were pleased to send him.

The Councill answer'd they took it Kindly of him, but they would heare it some Convenienter time, and not hinder y^e buisness they were now about.

Luke Watson Desired of y^e board they would lett him know his accuser, to wth they making no answer, he Requested y^t Henry Bowman might be Called to Declare before y^e board what he knew of his not being bound to peace, who was Called and Declared as followeth, Viz': That Luke Watson's Brother-in-Law (one Smith) told him y^t the Difference between him & Luke Watson was Ended, & that they were now friends, & that there would be nothing more don in that buisness.

Adjourned till Eight To-morrow morning by y^e Presid^{ts} Order.

At a Meeting of the Councill in y^e Councill Roome at Philadelphia y^e 14th 3^d Mo. 1686.

At a Meeting of the Councill in y^e Councill Roome in Philadelphia y^e 13 of y^e 3^d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Rob ^t Turner,	John Symcock,
Wm. frampton,	Tho. Janney,	John Cann,
Wm. Darvall,	Jno. Roades,	Pet ^r Alrichs,
Phin. Pemberton,	Jno. Barnes,	fran. Harrison,
Wm. Southersby,	Arth. Cook,	Wm. Markham, Secre.

The Request of Jno. Smith and Henry Painter, Inhabitants of Southampton Township, was Read, Requesting this board to heare their Complaint ag^t y^e Indians who had Killed severall of their Swine.

The Councill Called them in, and Ordered them to give their Complaint in Writing to y^e Secretary, & mention y^e names of y^e Indians y^t they knew, or did Imagine did y^e fact, and then y^e Councill would take all possible Care to Redress them by Law; and further, Ordered y^t y^e Respective Kings might be sent to by some proper Messenger to make satisfaction.

The Request of y^e freemen of y^e County of New Castle was Read, Requesting a Fare to be kept in y^e Towne twice a year.

The Assembly came to y^e Councill and presented in writing some alteration to be made in y^e bill No. 1, w^{ch} were y^e same as offered y^e Committee y^e 12th Ins^t.

Adjourned till six to-morrow morning, or Sooner, if occasion, by y^e Presid^{ts} Order.

The Committee in y^e Evening.

PRESENT :

Arth. Cook,	Robt Turner,	Wm. Markham, Secre.
Jno. Symcock,	Wm. frampton,	

four Persons, Viz: Wm. Byles, Jn^o Goodson, Geo: Maris, & Tho: ———*, were sent from y^e Assembly with a Message in Writing about the Removall of Patrick Robinson from his places, w^c followeth, Verb.

The Assembly dos Request y^e Presid^t and Prov^l Councill would be pleased to give their Reasons why y^e Request of y^e Late Assembly Concerning y^e Removall of Patrick Robinson from all publick Offices of Trust, was not according to promise, answered.

The Committee Rose, telling them they would present it to y^e Councill.

At a Meeting of the Councill in y^e Councill Roome at Philadelphia y^e 14th 3^d Mo. 1686.

PRESENT :

THOMAS LLOYD, Presid^t.

Arth. Cook,	Wm. frampton,	Jno. Roades,
Wm. Clark,	fran. Harrison,	Pet ^r Alrichs,
Wm. Darvall,	Jno. Cann,	Phin. Pemberton,
Jno. Barnes,	Tho. Janney,	Wm. Southersby,
Jno. Symcock,	Nich. Newlin,	Wm. Markham, Secre.
Robt. Turner,		

The Committee y^t Satt yesterday in y^e Evening, Reported to y^e Councill the Message from y^e Assembly, w^{ch} was in writing and Read, about Patrick Robinson. The Councill Declared it was not Proper nor Seasonable to be answered, nor was it signed by any of y^e Assembly.

John Cann, a member of Councill, had Leave to goe about his urgent occasions untill y^e Eighteenth Inst^t, 10 in y^e forenoon.

Ordered a Lycence be made for Tho: Hallyman to keep Ordinary in Philadelphia.

Ordered a Lycence be made for Wm. Hambleton to keep Ordinary in New Castle.

Ordered a Lycence be made for John Roades to keep ordinary in Sussex County.

Ordered y^t a Paper be drawn and published for y^e better Regulating y^e affair and Keeping y^e peace.

*By reference to the Votes of Assembly Vol. 1st page 33, it appears that the name omitted is that of Tho: Duckett.

The Request of some of the Justices of Chester County against y^e Clark of y^e Court was Read.

The Councill was pleased to answer that in Regard they had not given any Perticular Charge against him, they Could not answer their Request.

Adjourned till y^e 17th Ins^t, 10 in y^e forenoon.

At a Meeting of the Councill in the Councill Room in Philadelphia y^e 17th of y^e 3^d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,	Wm. Southersby,	Arth. Cook,
Tho. Janney,	Nich. Newlin.	Edwd. Green,
fran. Harrison,	John Roades,	Wm. frampton,
Jno. Barnes,	Phi: Pemberton,	Wm. Markham, Secry.
Robt. Turner,		

Ordered y^e a Perticular Comission be drawn forthwith, to Constitute Chr: Taylor Justice of y^e Peace for y^e Towne & County of Philadelphia.

James Atkinson's Complaint against Henry Stretcher and Charles Haines was Read, setting forth there abuse to him in his Doeing his office, Viz: gethering y^e Propriet^{rs} quitt rents.

Henry Stretcher being a member of Assembly, and now Sitting, y^e Councill ordered y^e Complaint should be sent to them to peruse.

Adjourned till Six to morrow Morning.

The Comittee Satt before y^e Councill in y^e Councill Room the 18th 3^d Mo., 1686.

PRESENT:

Wm. Clark,	Wm. Darvall,	Nich. Newlin,
Arth. Cook,	Jno. Barnes,	fran. Harrison,
Tho. Janney,	Robt. Turner,	Wm. Markham, Secre.

Wm. Byles and Cornelius Empson Came wth a Message from y^e Assembly, w^{ch} was to Request a Conferance between y^e Councill & Assembly about y^e amendm^s of y^e first bill; y^e Comittee answered y^t they would informe y^e Councill thereof, but supposed they would not admitt of any Dispute, in Regarde it was y^e last day in w^{ch} they were Either to accept or Reject them.

At a Meeting of y^e Council in y^e Council Room In Philadelphia
y^e 18th of y^e 3^d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,	Wm. Darvall,	Tho: Janney,
Wm. Clark,	Rob ^t Turner,	John Barnes,
Arth. Cook,	fran. Harison,	Nich. Newlin,
Jno. Roades,	Phi: Pemberton,	Wm. Southersby,
Pet ^r Alrichs,	Wm. frampton,	Wm. Markham, Secre.

The Committee Reports to y^e Council y^e Message they Received this morning from y^e Assembly.

Wherupon y^e Council debated upon y^e method of Reading y^e bills in order to secure and prevent y^e overthrow of y^e Laws of this Province, w^{ch} in Case more then one bill had been Read and y^e of Continuance had been Rejected, would Inevitably have followed.

The Council seriously weighing & Considering y^e great trust wherewith they are in Vested, & unto w^{ch} they are Solemly obliged by y^e Express provisoes of y^e Great Charter of this Province & Territories, by y^e Act of Settlement, and by y^e Gov^r and Prop^r Comission, granted unto them under y^e Great Scale whereby they are Impowred, more Especially as to y^e Executive Capacity in Relation to y^e Justice, Peace and Security of our present Constitution, and y^e nothing be Continuanced nor allowed of that may Interferr, Hazard, or seem to Introduce a Subversion of this frame of Govern^t; and upon y^e Debate in Council Concerning y^e Reading y^e proposed bills to y^e Assemb^y, it was by y^e President putt to y^e Memb^rs of y^e board, peticularly whether if y^e first bill being a bill of Continuation of y^e former Laws, & an Expressive of y^e Duration of such bills which are to pass into Laws this Gena^l Assembly, whether if y^e said bill should not pass in y^e Assemb^y, any more bills should be Read by y^e Clark of y^e Council unto them, & so y^e Assembly, by Refusing y^e first & passing two or more other bills, The Inhabitants of this Province should be Stript & Left Destitute of such Laws of whose service they have had good Experience, By y^e uncertain compensation of such few ones wose use wee are upon Tryall off, & w^{ch} Cannot be supposed of y^e Extent to Supply y^e Loss of such w^{ch} will Inevitably be Discontinued therby.

The Council Unanimously & Successively gave their Thoughts and Expressed themselves that upon refusall of y^e Assembly's passing of y^e bill for y^e Continuance of former Laws, that it would not be only advisable but Requisite for this juncture & Present time, That y^e Prov^l Clark forbear Reading of y^e Promulgated bills in ord to propose them to their assent or Dissent. The Preservation of ye Govern^t in y^e forme wherein it is at present, being more Expressly our Respective Duties, then Exposing y^e same by Dubious and Insecure methods to unavoydable mischief.

Wm. Byles & Cornelius Empson Came to acquaint y^e Council y^e y^e Assembly were Ready to wayte on them in ord to finish y^e Legislation, it being y^e Last day.

The Councill answer'd they were ready, and y^e Assembly might Come when they please.

The Assembly Came to y^e Councill with their Speaker, who in y^e behalfe of himselfe and Assembly, Desired y^e amendments of y^e first bill as they had before given in in writing, to w^{ch} the Council not Consenting, there arose a Long Debate about y^e Privileges of y^e Assembly, w^{ch} not being granted by y^e Councill, and y^t no president should be Left upon Record whereby to prejudice y^e Privileges of y^e Assembly, The Genall Assembly did Unanimously agree that all things Relating to y^e premises should Remaine in y^e same State and Condition as they are at this present time, untill y^e Gov^r shall arrive and y^e Contraversie determined before him. Wherupon y^e Assembly Took Leave of y^e Council and Departed.

The Councill Considering y^e Debate they had with y^e Assembly, did unanimously agree and Ordered that this following Concurrence should be Entred, (Viz :)

Upon a Conferance had at this board with y^e Assembly, more Especially upon some amendments and alteration of them offered to y^e first bill for Continuance of former Laws, y^e Councill Expressly understanding from some of their Cheifest members that they would not pass y^e said bill Unless wth such Exceptions and amendments, w^{ch} if granted, would in our judgments be Insecure & Inconsistent with y^e allowed methods in such a Case, and y^e present frame of Governm^t, and lead to y^e Introducing an unsafe and hetherto unpractised way in proceedure upon Repeales, as first proposing y^e same in this time of y^e Gena^l Assembly, and so Lapsing or neglecting the previous Notice of y^e Legislative Councill.

Upon y^e Serious Consideration of y^e Premises, it was Demed Expedient by y^e Geneall Assembly that y^e Reading of the promulgated bills should be Waved for this present Session, Least a misunderstanding, or a greater Inconvenience might thereupon Ensue.

Adjourned till y^e Afternoone.

POST MERIDIEM.

PRESENT :

THOMAS LLOYD, Presid^t.

Arth. Cook,	John Roades,	Robt. Turner,
Wm. frampton,	Wm. Southersby:	Phin. Pemberton,
Wm. Clark,	John Symcock,	fran. Harrison,
Pet ^r Alrichs,	Wm. Darvall,	Wm. Markham, Secre.
Jno. Barnes,	Nich. Newlin,	

Upon y^e Petition of James Sanderling for a Lycence to Keep an Ordinary, it was granted him.

A Petition Relating to highways was Read, upon w^{ch} the Councill agreed y^t there should be a Sett time appoynted for y^e Councill to Inspect all y^e Business relating to y^e Highways, and to Order y^t y^e Roads be Laid out in y^e most proper and Convenient Places within this Province.

A Petition being presented against y^e abuses of y^e Skoolkill ferry,

it was Referred to y^e Councill at their sitting for y^e Laying out of Roades.

Rochford's Serv^t. } The Petition of Denis Rochford against John
Hickman's selling his servant.

The Councill understanding that John Hickman is in Custody & under process in order to his Coming to a Tryall at Law, it is Referred to y^e County Court, before whom it is to be Tried.

The Assembly being discharge, Henry Stretcher, y^t was a member thereof, was sent for before this board, to answer the Complaint of James Atkinson: the Offence being proved against him to be very gross and notoriously Ill, it was ordered y^t it be Referred to y^e Justices of Sussex County, where y^e Liveth, that in Casse he give not an acknowledgm^t of his great abuse before he goes downe to this board, y^e Justices aforesaid are to take sureties of him for his good behaviour.

Ordered that John Barnes, for this afternoon's absence and his former absence, pay to y^e Doore Keeper Six Shillings.

Adjourned till further Ord^r.

At a Meeting of the Councill in the Councill Roome y^e 5th of the 5th Mo. 1686.

PRESENT:

ARTHUR COOKE, Presid^t, Chosen by y^e Rest of y^e Members.

John Symcock,	Tho: Janney,	Phin. Pemberton,
Wm. frampton,	Wm. Southersby,	Wm. Markham, Secre.
Robt. Turner,		

The Petition of Israell Taylor was Read, Requesting he might be admitted to administer on his father's Estate.

The Councill answered they would admitt of no administration Contrary to y^e Intent of y^e will, w^{ch} they Judged valid.

Ordered that Robt. Turner, Wm. frampton & Wm. Southersby, take y^e Charge of y^e Office of Register Gen^l, in as full and ample a manner as Christop. Taylor had in his life time, and y^e Laws of this Governm^t, and y^t they be accomptable unto this board from time to time, as they shall be Called thereunto, for y^e profits that shall or may arrise, and y^t a Comission be drawn accordingly, Impowring any one of them as Sufficient to Execute y^e said office.

The Petition of James Claypoole was Read, Requesting the place of Register Gen^l might be Conferred on him.

The Councill answered They thought it not fitt to settle it on any one person, but Leave it to y^e Gov^r Disposall.

The Petition of Joshua Carpenter was Read, Requesting a Lycence to Keep an Ordinary in his Brother Sam^l Carpenter's house, on y^e Wharfe. Ordered a Lycence for three months.

Ordered that Nath^l Sykes have a Lycence to Keep an Ordinary In Philadelphia.

John Symcock Requested a Lycence for Walter forcett to Keep an ordinary in y^e County of Chester, w^{ch} was granted.

Adjourned till Six to-morrow in y^e morning.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^e 6th of y^e 5th Mo., 1686.

PRESENT :

ARTHUR COOK, Presid', Chosen, &c.

John Symcock,	Tho. Janney,	Wm. Southersby,
Rob' Turner,	Nich. Newlin,	Wm. Markham, Secre.
Phi. Pemberton,	Wm. frampton,	

The Comission Impowring Rob' Turner, Wm. frampton & Wm. Southersby to manage y^e Register Gen^l Office of this Province and Territories, new Castle only Excepted, was this day Signed.

Joseph Vaughan & Jno. Saxby, Serv^{ts} to Chris. Taylor, Deceased, were sent for to Come before y^e Councill; they produced their Indentures.

Joseph Vaughan was bound to Edm^d Paine, march' of London, v^e 9th of Aprill, 1684, to serve 4 years after his arrivall in Maryland. There was Endorsed on y^e Indenture; wee Cast anchor at New Castle in Pinsilvania, Aug^t y^e 6th, 1684.

John Saxby putt himselfe an apprentice to Chris. Taylor, y^e 26th of y^e Eleventh month, 1685, to serve six years.

The Councill taking into Consideration Methods for y^e Secureing y^e Estate of Chris. Taylor, Deceased, according to y^e true Intent & meaning of his Will, of w^{ch} y^e Gover^r and Ralph frettwell were Execut^{rs}, Thought fitt in their absence to appoynt John Goodson, Tho. Hooton and Tho. fitchwater, or any two of them, to administer upon y^e Estate of y^e aforesaid Chris. Taylor, Deceased, and to Act and Doe all things therein as an administrator by Law hath power to doe, and to be accountable unto us, or y^e Executors, for the same.

Ordered y^e a Comission of y^e Peace be forthwith Drawn for Kent County.

Ordered a Comission be forthwith Drawn to Impowr Abrah. Whorly, high Sheriff of Bucks County.

Ord^r y^e a new Comission be Drawn for George Martin to be High Sheriff of Kent County, to Continue untill further Order, his old Comission being out of Date.

Adjourned till 5 in y^e afternoone.

POST MERIDIAM.

PRESENT :

ARTHUR COOK, Presid', Chosen.

Rob' Turner,	Nich. Newlin,	Wm. Southersby,
Wm. frampton,	Phi. Pemberton,	Wm. Markham, Secre.

The Comissions for y^e County Court of Kent, for y^e High Sherrieff of y^e same, & for high Sheriff of Bucks County, were signed.

Report being made to this board by Rob^t Turner, a member thereof, that franc. Carnewell, one of y^e Magistrates for y^e County of Sussex, to be a person of Ill fame, The Councill thereupon Ordered that a Warrant be made and sent to y^e County Court of Sussex, to suspend y^e said francis Carnewell untill he appear at y^e Councill table & Cleare himselfe of what is Laid to his Charge, w^{ch} shall be at y^e Councill board Delivered him.

Ordered a Comission be forthwith drawn for Tho. Streton to be Coroner for Kent County.

Adjourned till further Ord^r.

Att a Meeting of the Councill in y^e Councill Room The 7th of y^e 5th Mo., 1686.

PRESENT:

ARTHUR COOK, Presid^t, Chosen.

Rob ^t Turner,	Phin. Pemberton,	Wm. Markham, Secre.
Wm. frampton,	Wm. Southersby,	

John Goodson and Tho. Hooten Refusing to take upon them the Charge of y^e administration on y^e Estate of Chris. Taylor, according to y^e minute of Councill Yesterday, The Councill thought fitt to Order that y^e Commiss^{ns} of y^e Registry take Care of y^e Estate aforesaid, and of the Children of Chr: Taylor, in the behalfe of y^e Executors, & to be accountable to them.

Adjourned till further Ord^r.

At a Meeting of the Councill in y^e Councill Roome In Philadelphia y^e 2^d of y^e 6th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Jno. Symcock.	Wm. Southersby,	Wm. Markham, Secre.
Wm. frampton,		

The Presid^t proposing the Expedientcy of Recomending some Capable persons to Sitt Judges in y^e next Prov^l Court, w^{ch} are to sitt y^e 24th of y^e 7th month, at Philadelphia, y^e Presid^t and Present members of Councill thought fitt to Recomand Tho. Holmes, James Harrison and James Claypoole, to y^e approbation of y^e next Compleat Councill, for y^e Comissionating of them or others that they shall think fitt.

Whereas, a Complaint has been made to this board of violence Don by some Indians on Nich. Skull and his family, and forcibly Enttring his house & Carrying away his goods; and further Information Given y^t y^e s^d Nich^o. Skull hath, Contrary to his Duty and Peace of this Province, sould and trucked to and wth y^e Indians severall quantities of Liquors, w^{ch} by Law was Prohibited the selling to them, whereby they were much Disordered, to y^e notorious Disturbance of the neighboring Settlements.

The Presid^t and Present Members of Councill thought fit to Order that Capt. Tho. Holmes, with y^e assistance of Capt. Lace Cock, Zach. Whitpain, and such others as Capt. Thomas Holmes shall approuve off, forthwith to make Diligent Enquire into y^e truth hereoff, and if it Credibly appears that such Indians were Guilty as Reported, They be Required to make Speedy satisfaction. Wee Referring y^e mannor and methods of treating y^e Indians Concerned wth y^e people they belong to, to y^e Conduct and Discretion of y^e s^d Capt. Holme, wth y^e Concurrence and approbation of the nominated persons, and in Refferance to y^e s^d Nich^o. Skull, if upon y^e Examination of his behaviour and Deportment towards those Indians, it shall appear y^t he hath acted Contrary to Law in selling them prohibited Liquors, that Speedy Course be taken to proceed against him accordingly, that he might be an Exemplary Terrour to Such who shall offend in y^e like nature.

Adjourned till further Order.

At a meeting of the Councill in the Councill Roome at Philadelphia the 5th of y^e 6th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,
Wm. frampton,

Wm. Clark,
John Barnes,

Wm. Southersby,
Wm. Markham, Secre.

Wm. Clark, a member of this board, informing the Councill y^t y^e Justice's Comission for y^e County of Sussex Expired y^e 15th Ins^t.

Ordered that one be forthwith Drawne to Comissionate Wm. Clark, Jno. Roads, Tho. Langhorne, Tho. Price, Rob^t Clifton, Sam^l Gray & George Young, & y^e Comission to Stand in force untill further Order.

David Lloyd Presented his Comission given him by y^e Gov^r, bearing date y^e 24 of y^e 2^d Mo. Ap^l, 1686, Constituting him attorney Gen^l for this Province and Territorys, To w^{ch} he was attested, Declaring his allegiance to y^e King, fidelity to the Gov^r & Governm^t, and faithfull performance of his Office.

Adjourned till further Order.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,
Wm Clark,

Edw^d Green,
Wm. Southersby,

Wm. Markham, Secre.

A Letter from y^e Gov^r to the Councill, dated y^e 24th of y^e 2^d Mo., 1686, was Read.

John White Informs this board that y^e Marylanders have Lately Reinforced their fort at Christina, and y^t they would not suffer him to Cutt hay, but thrittend those he Employed to doe it wth their gunns presented against them, and y^t what hay they had Cutt y^e Mary Landers would not suffer them to Carry it away, and if they did Cutt any more y^e Marylanders sayd they would throw it in to y^e River.

And further Informs y^t Maj^r English a few Days past came in to y^e County of New Castle with about fourty armed horse men; Left them at John Darby's whilst Maj^r English and a Marry Land Cap^t Came to New Castle, where John White meeting him, made Complaint to him of the abuses don him by y^e Mary Landers at y^e fort. Maj^r English, tould him that if Thou wilt say you Drunken Dogg, ned English lett me Cutt hay, I will give you Leave: Wherupon y^e s^d John White Requested y^e Councill's advice how he should behave himselfe in this affaire. The Councill advised him to use no Violence, but bear with patience, not Doubtīng but y^e King will soon put an End to all their hostile actions against his Collony.

The Petition of John Moon was this day Read, setting forth his Illegall tryall and Execution served on him for a fine for getting his maide with Child, Requesting the board would Order y^t his goods Seised on by virtue of the foresaid Execution might be Restored him againe, to w^{ch} y^e Councill gave no answer.

The Present Members of Councill added Three more to y^e former Three Recomendēd on y^e minute of y^e 2^d Inst^t, the w^{ch} three Last are John Cann, Wm. Clark and Arth. Cook, to the approbation of a Compleat Councill to Elect Three for Judges.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome y^e 7th of y^e 6th month, 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. frampton,
Wm. Clark,

Edw^d Green,
Jno. Barnes,

Wm. Markham, Secre.

The Petition of Benj. Chambers was Read, setting forth y^t at last County Court held at Philadelphia, Judgm^t was obtained by Doct^r Moore against y^e free Society of Traders of this Province, & y^t an appeale was granted unto y^e s^d Society to y^e next Prov^d Court, w^{ch}

appeale Could not be then taken out for want of Sufficient Security according to Law.

Therefore y^e s^d Benj. Chambers Requested the Presid^t & Prov^{ll} Councill y^t they would accept of such Lawfull and able Security as Shall be present for y^e same.

The Presid^t and Councill admitted y^e same, and accepted of Benj. Chambers and Griff. Jones, both of Philadelphia, Joyntly and Severally binding themselves in the penall summe of four hundred and six pounds for prosecuting the said appeal, and to answer Costs and Damages according to Law.

Adjourned till y^e Second of y^e next Month, unless urgent Occasion.

At a Meeting of the Councill in the Councill Roome at Philadelphia the Third of y^e Seventh month, 1686.

PRESENT:

JOHN SYMCOCK, Presid^t, Chosen by The Rest.

Arth. Cook,	Wm. Southersby,	fran. Harrison,
Wm. frampton,	Phin. Pemberton,	Wm. Markham, Secre.

The Petition of Henry Jones was Read, setting forth y^e badness of the way from Moyamensin to Philadelphia. It was Referred to y^e County Court, who it's presumed has power to appoynt Roads to Landing places, to Court, & to Markett.

The Petition of James Claypoole, Jno. Goodson & Humph. Murry was Read, Complayning against y^e Clark of y^e County Court of Philadelphia, Requesting he might be Dismissed of his Employ^m and, y^t David Lloyd might be placed therein. The answer was it shall be further Considered off.

The Councill adjourned to Robert Turner's house, he being Sick.

AT ROB^t. TURNER'S HOUSE.

PRESENT:

FRANCIS HARRISON, Presid^t, Chosen by y^e Rest.

Arth. Cook,	Wm. frampton,	Phin. Pemberton,
Jno. Symcock,	Wm. Southersby,	Wm. Markham, Secre.
Robt. Turner,		

The Councill unanimously agreed and appoynted that Arth. Cook, Jno. Symcock & James Harrison, should be Judges for y^e Next Prov^{ll} Court y^t by Law is appointed to be held at Philadelphia, and Ordered y^t a Comission be forthwith drawn, and y^e Broad Seale affixed thereunto, To authorise and Impowre them Judges both of Law & Equity accordingly.

The Petition of Dr. Nich. Moore was Read, &c.

Adjourned till further Order.

At a Meeting of the Council in y^e Council Roome in Philadelphia y^e 20th 7th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,	Nich. Newlin,	Robt. Turner,
fran. Harrison,	John Barnes,	Pet ^r Alrichs,
Arth Cook,	Edwd. Green,	Jno. Cann,
Tho: Janney,	Phin. Pemberton,	Wm. Markham, Secre.
Wm. Southersby,		

The Gov^r Letter that came by y^e way of New York, and Rec^d by y^e Secretary y^e 14th Ins^t., was this day read in Council. Benjamin Chambers Presid^t of y^e Society, was Called before the Board, and y^e part of y^e Gov^r Letter y^e related to y^e Society was read to him.

The Request of francis Danⁿ Pastores was read.

Adjourned for an hour.

POST MERIDIEM.

The same Persons present.

The Comission that was Ord^d to be Drawne y^e 3^d Ins^t, for Constituting of Judges, was this day read, approved off, and signed by y^e Presid^t.

A Comission was signed for Wm. Southersby & Barnaby Willcocks to be Justices of The Peace for y^e County of Philadel.

A Blanck Comission was signed for Sherri^f of Philadelphia County. Wm. Carter proposed if he will accept Thereoff, if not, some other the Council should appoynt, this Comission to Comence Seven dayes after y^e next County Court of Philadelphia.

Adjourned till 7 To morrow morning.

At a Council in the Council Roome in Philadelphia September y^e 21, 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,	Jno. Barnes,	Phin. Pemberton,
Robt. Turner,	Wm. Southersby,	Edwd. Green,
fran. Harrison,	Nich. Newlin,	Wm. Markham, Secre.
Tho. Janney,		

Ordered That Thomas Hooton take into his Custody and Care all y^e personall Estate of Christ. Taylor, Deceased, untill administration be granted, or till further Order, and y^e persons that have y^e Care at present of y^e s^t Goods or Estate, Deliver them up to y^e Care of the said Tho. Hooton accordingly.

Information being given to this board of a Scandalouse paper given by y^e Sherri^f of y^e County of Philadelphia to y^e Grand Jury y^e Last

quarter Sessions, without any name subscribed thereunto, To the Reproachfull Chargeing or accusing of one of y^e Magistrates of y^e same Court, and understanding that y^e same paper was lodged in y^e hands of Tho. Hooton, and Considering y^e Consequence of such Condemnable proceedings, The Councill Required y^e said Thomas Hooton to Deliver y^e same to this board, w^{ch} was accordingly don.

The Petition of Peter Gronendicke, Executor to Cornelius Verhoof, requesting a rehearing of y^e Causes of Symon Paulin and Richard Bundike, &c. and Order was granted thereupon

The humble Lamentation of Jann Van Cullen was Read, setting forth y^e abuses of Charles Ashcome. Order y^t his Cattle be Returned, and that y^e Difference between him and Charles Ashcome be Valued by 4 men, and if they Cannot agree y^t it be left to be Desided by y^e Gov^r.

Patrick Robinson was admitted, upon his Submission to Remain Three Months Longer in his Office of Clark, at w^{ch} time he promises to Resigne y^e same, with y^e Records thereunto belonging, and with his Owne hand Endorsed y^e same on his Comission, promising further, in y^e meantime to behave himselfe Civilly & Respectfully to y^e Magistrates, and peaceably to all persons, or for y^e first offence Comitted in y^t nature, to have his Comission forthwith Cancelled.

Adjourned till y^e 25th of y^e next month, onless further occasion.

At a Meeting of y^e Councill in y^e Councill Roome in Philadelphia y^e 24th 7 bre., 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,	Edw ^d Green,	Rob ^t Turner,
Jno. Symcock,	Phin. Pemberton,	Wm. Markham, Secre.

The Judges that were appoynted for this Prov^l Court y^t is by Law to sitt this day in Philadelphia, were attested, and signed to a paper.

Ord^d that y^e Secretary signe y^e Ord^r of Councill for Peter Gronendike.

Adjourned till y^e 15th next month, unless further Occasion.

At a Councill in y^e Councill Roome In Philadelphia y^e 1^o of y^e 8th month, 1686.

PRESENT:

ARTHUR COOK, Presid^t, Chosen by y^e Rest.

John Symcock,	Wm. Southersby,	Phin. Pemberton,
Rob ^t Turner,	Edw ^d Green,	Wm. Markham, Secre.
Wm. Clark,		

The Judges Report the Great abuse offered by Patrick Robinson in y^e Prov^l Court to y^e Judges then sitting on y^e bench, to y^e great hazard

of y^e good, quiett and peaceable Constitution of y^e Governm^t, and Great Disturbance and hindrance of Justice in y^e highest Court of this Province.

Upon y^e Judge's Complaint to this board of y^e Ill behaviour of Patrick Robinson in y^e Prov^l Court, it is ordered y^t he be dismissed of his Office as Clark of y^e County Court of Philadelphia, and y^t y^e Records of y^e said Court, and all other papers relateing thereunto, be brought to y^e Councill, or Delivered to David Lloyd, who is Ordered to succeed him in his Office, and Comission Ord^d to be forthwith drawne accordingly.

Ordered a new Comission be forthwith Drawne to Constitute or Continue Wm. Clark a Gena^l Justice of the peace both for y^e Province & Territories.

Adjourned till 7 To morrow morning.

At a Councill in y^e Councill Roome In Philadelphia y^e 2^d of y^e 8th Mo., 1686.

PRESENT:

ARTHUR COOK, Presid^t, Chosen by y^e Rest.

Rob ^t Turner,	Edw ^d Green,	Wm. Southersby,
John Symcock,	Phi. Pemberton,	Wm. Markham, Secre.
Wm. Clarke,		

The Comission y^t was Yesterday ord^d for Wm. Clark to be Justice of y^e peace for y^e Province and Territories, was this day signed by y^e Present President.

The Comission that was Yesterday Ord^d to be drawne for David Lloyd to be Clark of y^e County Court of Philadelphia, was this day signed by the present Presid^t.

Edw^d Green and Wm. Southersby, both members of Councill, were appoynted to goe to Patrick Robinson, and in y^e name of y^e Councill, Demand y^e Record and all other writings y^t belong to y^e County Court of Philadelphia.

Ord^d a Lett^r be writt to y^e Gov^r in answer of two Letters Receiv^d by this board from y^e Gov^r.

Edw^d Green and Wm. Southersby Reports y^t according to y^e Ord^d of this board, they went to Patrick Robinson, & that he was very willing to Deliver up all y^e fyles, both for his time and y^e time John Southren was Clark, with all prossesses and Continuances of actions, and after six hours peaceable Continuance in his owne house, he will deliver up all y^e acco^s for y^e Levies, and y^t he will much abbreviate y^e time he had for y^e perfecting y^e Records, w^{ch} he has in a great measure gon into, but yett wants to draw out his owne accounts, in order to gether in his Debts, w^{ch}, if he should part with all, was wholly incapable of Doing; and likewise, y^t he desired he might be admitted to Come before y^e Councill to Discourse about it.

The two members of Councill were againe appointed to goe to Patrick Robinson and tell him that he might Come to y^e Councill with his Keeper.

The Two members of Councill Returned. Patrick Robinson Came with them: y^e members Reported they delivered their Message to Patrick Robinson, that he made answer that if his Keepers would not look after him he had no reason to seak them, but would Come along with us.

Patrick Robinson did before this board Ingage freely to Deliver all things that Relate to y^e County Court of Philadelphia that was in his possession, Either to night or on next second day morning, to y^e Secretary, if the Councill will appoint him to give y^e Receipt for the same, and y^t he might have free access to them for y^e making up his accounts, w^{ch} was granted and Ordered accordingly.

Adjourned till y^e 15th Inst', or further Order.

At a Meeting of the Councill in The Councill Room The 16th 9th month, 1686.

PRESENT: -

JOHN SYMCOCK, Presid', Chosen by y^e Rest.

Arth. Cook,	Wm. Southersby,	Wm. Markham, Secre.
Rob' Turner,	Tho. Janney,	

The Petition of Capt. Tho. Holmes, was Read, Complayning against Charles Ashcome, one of his Deputy Survey^{rs}, for want of a mapp of his work don in Chester County.

The Petition of Griff. Jones was Read, about Rent due for his house from Chris. Taylor.

Referd to y^e Executors and administrators of Chris. Taylor's Will, whome they Doubt not but will doe him Justice therin.

Adjourned till Eight to-morrow morning.

At a Meeting of the Councill in y^e Councill Roome in Philadelphia y^e 17th 9th Mo., 1686.

PRESENT:

JOHN SYMCOCK, Presid', Chosen by y^e Rest.

Arth. Cook,	P ^r Alrichs,	Tho. Janney,
Rob' Turner,	Wm. Southersby,	Wm. Markham, Secre.

The Petition of Abraham Opdengrafe was read, for y^e Gov^r promise to him should made the first and finest peece of linnen Cloath.

Adjourned till two in y^e afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^r.

Rob^t Turner,

Arth. Cook,

Wm. Markham, Secre.

Pet^r Alrichs,

Tho. Janney,

The Petition of Capt. Tho. Holmes, that was Read yesterday, was againe Read.

The Petition of Abraham Opdengrafe y^t was read this forenoon was again Read.

Adjourned till Eight To-morrow morning.

At a Meeting of the Councill in The Councill Roome y^e 18th 9th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^r.

Rob^t Turner,

Tho. Janney,

Jno. Barnes,

Arth. Cook,

Pet^r Alrichs,

Wm. Markham, Secre.

Samⁿ Land's Letter to y^e Secretary was Read, bearing Date y^e 14th 9th month, 1686, Desiring to procure for him as y^e King's Sercher, a writt of Assistance.

James Walliams, who was Constituted y^e King's Collector for y^e Bay and River of Delaware, by Comission from Patrick Mein, Esq^r, y^e King's Survey^r Gen^l of his Maj^{ty}s Customes in America, Came to y^e Councill board and produced his said Comission, w^{ch} bare Date y^e 23 day of October, 1686, and was Endorsed by John Cann and Peter Alrichs, Certifying thereby y^t James Walliams, y^e Collector, was attested y^e same day before them, Justices of y^e Peace for y^e County of New Castle, for his faithfull Discharge of his trust in that Office.

The Comission was subscribed thus, (Viz:) I Doe approve of y^e Person Deputed by y^e aforesaid Comission. Signed,

JOHN CANN.

James Walliams Backed Samⁿ Land's Request in his Letter to y^e Secretary, and Desires y^e Councill would grant y^e said Samⁿ Land a Writ of Assistance; to which y^e board made answer that y^e King's Officers should have all y^e Assistance possible from them in the Executing their Office, when Ever they shall have Occasion to make use of it.

It was Debated in Councill whether James Walliams had y^e day presented himselfe to them as y^e King's Collector, in forme and manner as obliged to by his Instructions. Was Carried in y^e Negative.

Jacob Hall's Petition was Read, Requesting y^e Remittment of the fines that was Layd upon y^e Servants of his Employer.

Answer: The Councill will Recomend their Thoughts to y^e next County Court for Bucks, whether y^e Petitioner is Referred, and i

was don accordingly, by y^e Members of Councill for y^t County then present.

Israell Taylor having formerly putt in Cavett against y^e Probate of his father's will, he Declares is now willing to have all Referred to the Governor.

Adjourned till four in y^e Afternoone.

POST MERIDIEM.

PRESENT:

The same persons as in the forenoon.

Upon y^e Application of Israell Taylor to this board for a sute of Cloaths of his father's, and for a bedd and furniture, the Councill Consented y^t by a Member or two of this board, Tho. Hooton be desired to give him a sute of Cloaths, and as to y^e bedd & furniture they are not willing to grant till they understand y^e Gov^r minde in Relation to y^e Estate.

The Comission upon y^e Death of Wm. frampton, one of y^e persons Comissionated for y^e mannagem^t of y^e Registry Office, and upon the Application of Wm. Southersby to be Excused for being Concerned therein as joynt Comissioners, and Rob^t Turner also not Desiring to Continue therein, it was unanimously that y^e Gen^l Registry be proposed to the acceptation of James Claypoole, Sen^r, having lately Requested y^e same; upon his Consent thereunto, a Comission to be Drawne to Impowre him to act therein During y^e Gov^r Pleasure.

Adjourned till Eight To-morrow morning.

At a Meeting of the Councill in the Councill Roome The 19th 9th month, 1686.

PRESENT:

THOMAS LLOYD, Presid^t.

Rob^t Turner,
Arth. Cook,

Pet^r Alrichs,
John Barnes,

Tho. Janney,
Wm. Markham, Secre.

The Comission for Register Gen^l was this day given to James Claypoole, Sen^r, and he attested accordingly.

Wm. Carter had his Comission given him this day to be Sherriff of y^e County of Philadelphia.

The Councill taking into Consideration y^e Unevenesse of y^e Road from Phila^{del}phia to y^e falls of Delaware,

Agreed that Rob^t Turner & John Barnes for y^e County of Philadelphia, Arth. Cook and Tho. Janney for y^e County of Bucks, with y^e Respective Survey^rs of y^e s^t Counties, meet and Lay out a more Comodious Road from y^e broad Street in Philadelphia to y^e falls aforesaid: y^e time when is Referred to y^e memb^rs Nominated.

Adjourned till further Order.

At a Meeting of the Council in the Council Room in Philadelphia y^e 30th of y^e 1st Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,

John Barnes,

Wm. Markham, Secre.

Nich. Newlin,

Few members being Come to Towne, those present adjourned till two in y^e afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,

Nich. Newlin,

Jno. Barnes,

Rob^t Turner,

Wm. Clark,

Wm. Markham, Secre.

The Returne of y^e members to serve in y^e Prov^l Council for y^e County of Philadelphia was Read, and by y^e Council accepted off. James Claypoole Returned therein to serve for Three Years, he having subscribed y^e Obligation took his place.

The Returne of Kent County was Read and accepted of, only John Curtis, who was returned to serve in Prov^l Council for three years, was Excepted, he having lained under Suspicion of Speaking threasionable words; and altho' y^e Grand Jury had Returned y^e bill against him Ignoramus, yett y^e Council thought it not fitt to admitt him as Councillor amongst them. Griffith Jones, who was returned at y^e same time, for y^e same County, to serve in Prov^l Council the Remaining part of the Time Wm. Fraapton, Deceased, was to have served, signed y^e Obligation & took his place in y^e Council.

Adjourned till to morrow morning y^e 9th hour.

In the Council Room at Philadelphia y^e 31th 1^o Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,

Nich. Newlin,

John Symcock,

Wm. Clark,

James Claypoole,

Rob^t Turner,

Griff. Jones,

Phin. Pemberton,

Wm. Markham, Secre.

John Barnes,

The Returne of y^e members to Serve in Prov^l Council for y^e County of Chester was Read, and tho it was lame, yett upon y^e assurance of y^e members of Council for y^e County, that y^e persons therein mentioned were fairly Elected, it was accepted of: John Bristow Returned to serve for three years in Prov^l Council, signed the Obligation & took place.

The Returne of Bucks County was Read & accepted off: Joseph Growdon was Returned to serve for three years in Prov^l Council, signed the Obligation & took place.

The Gov^r Letter to y^e Prov^l Council was read, bearing Date y^e 15th 7th month, 1686.

Adjourned till 4 in y^e Afternoon.

POST MERIDIEM:

PRESENT:

THOMAS LLOYD, Presid^r.

Arth. Cook,	Jam. Claypoole,	Nich. Newlin,
John Symcock,	Rob ^t Turner,	Jno. Cann,
Wm. Clark,	Griff. Jones,	Jno. Bristow,
Phi: Pemberton,	Jos. Growden,	Wm. Markham, Secre.
John Barnes,		

The Returne for y^e County of New Castle was Read, signed Edw^d Gibbs, pro Sherriff: the Council would not accept of y^e Returne so signed, but upon John Cann's assuring y^e Council that it was a faire Election, it was accepted, wherein Peter Alrichs was Returned to serve in Prov^l Council for three years; he signed y^e Obligation and took his place.

The Gov^r Comission to y^e Council was Read.

The Returne of y^e County of Sussex was read, wherin Maj^r Wm. Dyer was Returned to serve in Prov^l Council for Three years: the Returne was Accepted, y^e Maj^r Excepte against only.

Maj^r Wm. Dyer presenting himselfe as a Prov^l Member in Council; the Council Expressed their Gen^l Dissatisfacon and unwillingness to permitt him, and Desired to Desist, Declareing y^t they Could not in Duty and Respect to y^e King, nor with Security to y^e Province, take such into y^e Council who had not Discharged the Office of y^e King's Coll^r of his Customs within this Governm^t with faithfulness & a good Report.

Maj^r Wm. Dyer pressing further for more perticular Reason for his non admittance into y^e Council as a member thereof, y^e Council Referred to Wm. Clark, Jno. Cann, Pet^r Alrichs & Griffith Jones, to be a Committee to Inquire into that matter, and to Reduce into writing the Reasons given, and to present them to this board the next Seventh day morning.

Adjourned till Eight to morrow morning.

In the Council Roome at Philadelphia The first day of y^e 2^d month, 1687.

PRESENT:

THOMAS LLOYD, Presid^r.

Arth. Cook,	Wm. Clark,	John Symcock,
Jam. Claypoole,	Pet ^r Alrichs,	Griff. Jones,
Nich. Newlin,	John Barnes,	Rob ^t Turner,
Jos. Growdon,	Phi. Pemberton,	Wm. Markham, Secre.
John Cann,	John Bristow,	

The Petition of John Curtis was read, setting forth his great Dissatisfaction y^t where he was Chosen a member of Council for y^e County of Kent, he was not admitted to take place.

Answer. The Councill Continues their Sence y^t he Ought to be dismissed.

The Petition of Severall persons ag^t transporting of Dear Skins was Read.

A Petition from many of y^e Inhabitants of Chester County, Requesting the same as y^e former, was Read, in w^{ch} Petition were severall other Requests about Laws.

Ord^d y^t notice be given to all the Justices & Others Concerned, y^t they Strictly putt in Execuon v^e Law ag^t transporting Raw Deer Skins, & y^t y^e Law ag^t Selling of Rum, y^e Laws against Curseing and swearing, & y^e Law ag^t Drunkenness, be strictly putt in Execution.

The Presid^t & Councill Debating about y^e Petition of John Curtis this day read at y^e board, they did unanimously agree, y^t whereas it did appear to this board y^t y^e said John Curtis had been accused of treason, & tho y^e Grand Jury found not y^e bill, yett were* think it our Duty to Dismiss him, and therefore he is accordingly Dismissed from y^e said service.

Adjourned till to morrow morning.

In the Councill Roome at Philadelphïa The second day of y^e second month 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	John Bristow,	John Barnes,
Pet ^r Alrichs,	Nich. Newlin,	John Cann,
Griff Jones,	Phin. Pemberton,	Jam: Claypoole,
Jos. Growdon,	Jno. Symcock,	Wm. Markham, Secre.
Arth. Cook,	Robt. Turner,	

The Comittee appointed to prepare perticular reason why Maj^r Dyer was not admitted a member of Prov^t Councill, brought in their Report to y^e Councill in writing, with y^e Reasons taken by them from other persons, under the relator's hands, all w^{ch} was Read at this board, and unanimously allowed of by the Councill as a sufficient Reasons for his non admission.

After Reading y^e Gov^r Letter of y^e last seventh month, with various Considerate Debates in this Legislative Prov^t meeting Concerning y^e Present body of Laws, & of y^e Security & benefitt w^{ch} might accrew to the Province and Inhabitants by their Repeal Intirely as they Stand, and of their Speedy revivall next Gen^l Assembly, wth such allowed alterations and abrogations of those whose service are Either Determined or not so materiall as when first Enacted, & with all perusing the minutes and finding the Concurrent Sense of y^e last

Assembly: The Presid^t & Prov^l Council have at this time unanimously & with Generall Express satisfacon, Concluded & ordered y^t it should be so Entred in the Council book that y^e Law so Compacted & Continued as they now are, may Remayne and be in force without annulling Variations, or supply of additionall bill or bills at this time, till wee hear further from y^e Gov^r, his arrivall, or to y^e sitting of y^e next Prov^l Council, in Ord^r to prepare bills to be promulgated for the Assembly to pass into Laws. In the Interime howsoever, it is Expressly agreed upon y^t the bench of Justices in Each County writ unto by a publick Instrument to Incourage, quicken and require the Due Execution of all such Laws more Especially, which being to frequently, publicly & notoriously transgressed, God's blessed truth Comes thereby Grieved, his name prophaned, the Province Governm^t & Professors of his holy way, and scandalised thereby.

Memorendums of what is to be Compleated by y^e Council by y^e approbation of the present members:

1th That a publick writing be sent to y^e Respective Counties to Informe them of the respectfull Remembrance of our Gov^r towards them, y^e Reasons of his unpleasant Stay, the Sudden hopes of his arrivall, wth an acco^t of our present proceedure, to be Dispatched with all Expedition.

2^{dly} An Enquiry of y^e undertakers about y^e Gov^r Supply, wth what furtherance may be of the same.

3^{dly} That y^e Gov^r Instructions about y^e Caves be persued.

4^{thly} That a new Comission be Drawn for y^e Continuing y^e former Judges for y^e next Prov^l Court.

5^{thly} That Comissions may be prepared for Officers for y^e Countyes were wanting.

Desired y^t y^e Presid^t signe y^e Severall Comissions.

The Members of New Castle County having presented Edw^d Gibbs for Sherriff of y^t County, Ord^d that a Comission be Drawn for him.

Sam^l Hersent's Petition was Read, begging Relief from y^e Judgment of y^e County Court of Philadelphia. Henry Reynolds plant. Referred to the Prov^l Judges.

A Table of fees Relating to the Attorney Gen^l Office having been perused, is allowed off by this board untill further Ord^r.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t.

James Claypoole,

Phin. Pemberton,

John Cann,

Wm. Clark,

John Barnes,

Griffith Jones,

Joseph Growdon,

Pet^r Alrichs,

Wm. Markham, Seere.

The Petition of Thomas fairman against Cap^t Tho. Holmes, Survey^r Gen^l, was Read.

Answer. That Cap^t Holmes Intends to be at y^e Comissⁿ meeting the next second day, whether he is Referred.

The Petition of Cornelius Empson, Concerning a Bridg Road and a Water mill on Brandiwine Creek, was Read.

The Petition of Rob^t Jeffs was Read, requesting Reliefe ag^t Tho.

fairman's forcable Entry in to his house, as he Expresses it in his Petition.

Answer. That the Courts of Law are and shall be open, but y^e Sense of the Councill is, that their mutuall agreements should be accordingly performed.

Adjourned till y^e fourth Ins'.

At a Meeting of the Councill in y^e Councill Room at Philadelphia The 4th of y^e 2^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.

Wm. Clark,	Robt Turner,	Joseph Growdon,
Arth. Cook,	Phin. Pemberton,	Wm. Markham, Secre.

The Petition of John Van Cullin was Read, Requesting Releef from y^e Oppression of Thomas Usher, Sherriff of Chester County, who by Vertue of an Execution obtained By a Vexatious sute of Charles Ashcome, hath taken from him his two milk Cows, w^{ch} was all he, his wife and seaven small Children had to live upon, himselfe being sixty & six years of Age, and past his Labour to work for more.

Ord^d That an Ord^r be sent to y^e Sheriff of Chester County to appear before y^e Councill y^e next second day, to answer the Complaint of the Petitioner, and if any Distress or Execution hath been served on his goods or Chattles, that they be no ways Disposed of untill y^e Complaint be answered before this board, and if y^e Cattle be taken away, that they be forthwith Restored, or Carefully looked to in y^e meantime; and that he make Returne of a former Order he had from this board in the buisness between Charles Ashcome and Jn^o Van Culing.

Adjourned till 3 in y^e Afternoon.

At a Councill in the Councill Roome In Philadelphia y^e 5th of y^e 2^d month 1687.

PRESENT:

THOMAS LLOYD Presid.

Wm. Clark,	Robt Turner,	James Claypoole,
Arth. Cook,	Jos. Growdon,	Wm. Markham, Secre.
Phi. Pemberton,		

The Petition of James fox in behalfe of himselfe and y^e Rest of the Inhabitants of y^e Plymouth Township, was Read, requesting a Cart Road might be laid out to their Towne Ship.

Ord^d that there be no Disturbance or Molestation to the Inhabitants of the Plymouth Townshipp, In their finding and Laying out a Convenient Cart Road from Philadelphia to their Township.

Adjourned till y^e 11th Ins'. 9 in the forenoon.

MINUTES OF THE

At a Meeting of the Councill in the Councill Roome In Philadelphia y^e 11th 2^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,

Jam. Claypoole,

Rob^t Turner,

Arthur Cook,

Griff. Jones,

Wm. Markham, Secre.

Wm. Clark,

Thomas Usher made his Appearance before this board according to Summons, to answer y^e Complaint of John Vanculling, and for answer subscribed y^e Summons, with these words following, and Returned y^e same so subscribed to y^e Councill, Viz^t: As to this Ord^r my Returne is, I doe abide by my Lawfull Serving y^e Execution upon y^e Milch Cattle of Jn^o Vanculin in y^e Case of Charles Ashcome.

THO. USHER this 11th 2^d Mo., 1687.

The Petition of Arnoldus Delagrance was Read, Requesting the Speedy payment of Money due to him from Christo. Taylor, Deceased.

Answered. That if the Gov^r comes not, nor y^e Councill hear from him in six Weeks or two months time, speedy Course shall be taken by this board to pay y^e Petitioner.

Adjourned till further Order.

At a Councill In the Councill Roome in Philadelphia y^e 13th 2^d month, 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,

Arth. Cook,

John Barnes,

Griff Jones,

James Claypoole,

Wm. Markham, Secre.

Jno. Symcock,

Ord^d that y^e Secretary signe Six Instrum^{ts}, to be sent one to Each County, to minde y^e Magistrates of their Duty in suppressing of all Desbauchery.

The matter of the Supply being reassumed, Ord^d that y^e undertakers bring in their Reasons why the sum for the supply, according to their obligations, is not paid; y^e day appoynted is the 10th of y^e next month.

By Express Ord^r from y^e Gov^r to The Prov^l Councill, that notice be given to all persons Concerned in y^e Caves or houses built upon y^e bank of this Towne, on Deleware side, unless those Leased by the Gov^r & not yett Expired, do by y^e 20th of y^e next month, provide for themselves other habitations, in order to have the said Caves or houses Destroyed, or otherwise Disposed off, as the Gov^r shall see meet.

The Petition of Rob^t Jeffs was Read, requesting Relief against the forceable Entry and Deteincr of Thomas fairman.

The address of Cap^t. Tho. Holmes ag^t Charles Ashcome was Read.

Adjourned till Six to morrow morning.

Adjourned till further Order.

At a Meeting of the Councill in y^e Councill Roome In Philadelphia y^e 14th 2^d month, 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

James Claypoole,

Wm. Clark,

Wm. Markham, Secre.

Arthur Cook,

John Symcock,

The Petition of Thomas fairman was Read, respecting the Difference between him and Rob^t Jeffs as to a forceable Entry; as also, touching upon Capt Thomas Holmes.

Robert Jeffs & Tho. fairman being both before y^e Councill, and y^e affair in Differance being Considerately Debated, it was unanimously Ordered, with y^e Joynt accord of both parties, y^e Rob^t Jeffs should have peaceable admission and possession into the Messaage and Premises Demised to him at frankford, by Tho. fairman, at or upon the next seventh day, in the forenoon, w^{ch} will be y^e 16th Ins^t, and y^e y^e Intended uncertaine Improvements mentioned in y^e margent of the Contract in writing, are to be four hundred apple trees, to be sett and planted within y^e first fourteen years, at a Convenient Distance, with a pale, or a sufficient Close fence, and y^e same to be accordingly Kept, and so surrendred at y^e Expiration of the Tearme.

Ord^d that Tho. Barker, Sam^l Jobson, Sabian Cole, Jno. More and Humph South, have their Returns made into y^e Secretary's Office, (by the Survey^r Gen^l.) of the Land that was Surveyed for them by Charles Ashcome in the Welch tract, it being in all four thousand acres.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^e 19th 2^d Mo., 1686*.

PRESENT:

WM. CLARK, Presid^t, p Choyce.

James Claypoole,

Griffith Jones,

Wm. Markham, Secre.

Robert Turner,

The Gov^r and Councill's Letter of New York, bearing date y^e 15

Aprill, 1687, Directed to y^e Presid^t & Councill of Pennsylvania, was Read.

Ordered That a Coppy thereof be sent to Presid^t Lloyd, at New York.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome In Philadelphia y^e 10th 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Jno. Symcock,	John Roads,	Jos. Growdon,
Arth. Cook,	Wm. Darvall,	Wm. Markham, Secre.
Wm. Clark,		

The Gov^r and Councill's lett^r of New York of y^e 15th Aprill, 1687, Directed to y^e Presid^t and Councill of Pennsylvania, was Read a second time.

Ord^d that answer be sent by y^e first Opportunity, Relating that Wee Know of no such man as D^r plessie within this Province, nor shall be Countinanced by us. 2dly. as to y^e Susquahanna and Skool-kill Indians, Wee hope such Care and diligence shall be used as will give no just occasion of Offence.

The Petition of Wm. Nicholls was Read, requesting Relief ag^t an Execution obtained in y^e County Court of Philadelphia by John Cropt, against y^e said Wm. Nicholls.

Ord^d That Cropt have notice to appear To-morrow before this board.

The Petition of John Readwood was Read, requesting Relief against an Execution obtained ag^t him in y^e County Court of Philadelphia, at y^e sute of Rich^d Hogbean.

Ord^d That Rich^d Hogbean have notice to attend y^e Councill to-morrow morning by 10.

Adjourned till tenn To-morrow forenoone.

At a Meeting of the Councill In the Councill Room In Philadelphia y^e 11th 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,	John Barnes,	John Roades,
Arthur Cook,	Wm. Darvall,	Wm. Clark,
Griffith Jones,	John Bristow,	Wm. Markham, Sec.
Joseph Growdon,	Nich. Newlin,	

Rich^d Hogbean appeared according to appoyntment yesterday.

Jno. Readwood's Petition y^t was Read at y^e board yesterday, was againe read.

Orded that they goe together and Endeavor to accomodate y^e Difference between themselves; if they Cannot, then to Come againe.

Wm. Salway & Thomas Langhorne Came wth a message from y^e Assembly to know when they should wayt on y^e Councill.

Answered in halfe an hour, or sooner if they pleased.

The King's Letter bearing Date y^e 19th November, Directed to Presid^t Lloyd or Secretary Markham, Commending the sending of John Grey, al^t Tatham, by y^e first Convenency of Shipping for England, to answer to severall Misdemeanors alliged there ag^t him, was Read.

The Assembly, with their Speaker, Came to The Councill: they made severall proposals to y^e Councill, then lest them in writing, signed by their Speaker, w^{ch} are as followeth, Verbatim:

Sundry Proposals Agreed on by The Assembly to be presented to y^e Presid^t & Councill, as followeth:

1. That y^e Presid^t and Councill be moved y^t the Counties may not Suffer a Vacantcy by the Suspension of members, but that y^e persons may Either be re-admitted, or Else writs Issue out the respective places for a new Choyce.

2dly. That y^e Councill be moved tō revoke their Orders to the County Courts prohibiting Executions to be Issued out untill ten days after Judgment, by reasons divers Inconvenientes have accrued thereby.

3dly. That y^e Presid^t & Councill be Desired that for y^e Continuing of a good understanding between y^e upper & Lower Counties, that there may be at least One of the Provⁿ Judges Chose from y^e Lower Counties.

4thly. That y^e Councill be moved prohibitt Iregular Summons to be Issued out from one County to an other, to be Vexation of the free people of this Province, & Contrary to y^e Intent of y^e Law.

5thly. That the Councill be moved according to y^e power of y^e Charter, to take a Speedy acco^t of y^e moneys paid for y^e Erecting of Bouys, & y^t wth all Convenient Speed y^e sayd Bouys be Erected, for y^e safety and preservation of Vessels coming in and going out of this Province & Territoryes, & to prevent the Claymours of Masters of Vessells who are obliged to pay the Money and Reape no benefit thereby.

Signed p order.

JOHN WHITE, Speaker.

PHILADELPHIA, y^e 11th 3^d month 1687.

Adjourned for an hour.

POST MERIDIEM, y^e 11th 3^d Mo., 1687.

PRESENT :

THOMAS LLOYD, Presid^t.

Arth. Cook,	Griff. Jones,	Wm. Clark,
Jno. Symcock,	Jno. Bristow,	Wm. Dervall,
Jos. Growden,	Nich. Newlin,	Wm. Markham, Secre.
Jno. Barnes,	John Roades,	

Rob^t Jeffs made his address to y^e Councill personally, without writing, Complaining that the Order of this Board of y^e 14th 2^d Mo. last, was not observed, and Requested they would be pleased to Order y^e Justices forthwith to Execute it.

Ordered y^t y^e Magistrates before whome Enquirie was made, have notice of the address of Rob^t Jeffs, and y^t it is the unanimous opinion of this board, that according to y^e mutuall agreement of both parties (Viz: Tho^t fairman and Rob^t Jeffs,) made before this board on y^e 14th of y^e 2^d Mo. Last past, the said Rob^t Jeffs ought to have Re-possession of his house and Tenement at franckford.

Wm. Nicholls and John Cropt being by appoyntment on y^e 16th Ins^t to appear before this board yesterday, made their appearance to day. After a long hearing of y^e Difference between them, it was ordered that Wm. Nicholls Bring in his account to morrow morning.

The Councill's Answer To y^e Proposals made by the Assembly in y^e forenoon.

1. If a suspended member be not admitted, nor Cleare himselfe within two months, then a new writt shall be Issued to Choose an other according to Law.

2. Wee Refer the same to y^e former practice, and y^e Discretion of y^e Judges and Justices of the Respective Courts.

3. In Choyce of Judges, there shall be tender Regard and due Respect had to y^e Lower Counties.

4. That all Irregular Summons from one County to another shall be wholly Discountinanced.

5. It's Ordered that an acco^t be brought to y^e Provⁿ Councill of what money hath been Collected on acco^t of Bouys, wth all Convenient Expedition, that it may be applied to its proper use.

Adjourned till 9 To morrow morning.

At a Meeting of the Councill in the Councill Room In Philadelphia y^e 12th 3^d Mo., 1687.

PRESENT :

THOMAS LLOYD, Presid^t.

Arthur Cook,	John Bristow,	Joseph Growdon,
Ja. Claypoole,	Nich. Newlin,	John Barnes,
Wm. Dervall,	Griffith Jones,	Wm. Markham, Secre.
John Roades,	John Symcock,	

Luke Watson and Vallentine Hollensworth Came with a Message from y^e Assembly, to Know when y^e Councill would be at Leasure to hear some proposalls from y^e Assembly.

Answered. As soon as they pleased.

The Assembly Came with their Speaker to the Councill, and having Debated on y^e proposalls following, left them in writing, signed by their Speaker, which followes, Verbatim:

Ordered y^t a Conference be proposed to the Presid^t & Prov^l Councill, wherein some Laws w^{ch} are Lyable to Divers Interpretations or Expositions, may at this Gen^l Assembly be Explained, & y^e true meaning thereof Declared, to prevent Diversity of Opinions and Errors that may otherwise arrise, Viz:

1. That the Law relating to goods taken upon Execution & appraised, whether y^e Creditor shall be obliged to take them at y^e Rate appraised if they will not advance higher at y^e publick Sayle, and whether y^e appraisers are by Law Intended to be appraisers in other matters.

2. The Law Concerning Quarter Sessions; how far y^e County Quarter Sessions may be Judges of Equity as well as Law, and if after a Judgment in Law, whether the same Court hath power to Resolve itself into a Court of Equity, and Either Mitigate, alter, or Revers y^e said Judgment.

3. That the Presid^t & Prov^l Councill be Requested to take such Effectuall Care about settling the antient port of the whorkills at Lewis, whereby y^e Inhabitants may not be deprived of benefit of Receiving goods from on board any Vessell, untill y^e said goods be first Cleared at New Castle, whereby y^e Difficulty of returning, and some times the danger that doth otherwise attend Vessels, have Deprived y^e Inhabitants of Such goods as have been Consigned to them.

4. That the Presid^t & Councill be requested to Command that such necessary Publick Roads be Every where sett forth and Duly maintained, & more Especially in y^e County of Philadelphia, y^t travelling for man and Beast may be more Easie, safe & Certaine.

5. That the Assembly Confer with the Prov^l Councill about the regulation of the Current pay of this Governm^t.

Signed p Order.

JOHN WHITE, Speaker.

PHILADELPHIA, the 12th 3 Mo., 1687.

Adjourned for one hour Pressisely.

POST MERIDIEM. 12 3 Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Jos. Growdon,	Jam. Claypoole,	Wm. Darvall,
Jno. Bristow,	Wm. Clark,	Griffith Jones,
Jno. Symcock,	Nich. Newlin,	Wm. Markham, Secre.
Arthur Cook,	John Roades.	

A Letter bearing date y^e 9th Inst. from James Walliams, Collector

at New Castle, Directed to y^e Secretary, was Read, Desireing y^t if the Warr^t of assistance was Ord^d by y^e Councill, to send it him downe.

Ord^d that y^e Secretary Informe him of a Comission newly received from y^e Gov^r, and Expected Every day to be opened, to w^{ch} the Granting of the Warrant is Referred.

A Comission Directed to Wm. Markham, Thomas Ellis & John Goodson, was Read at this board, Wm. Markham & John Goodson being present; it was Date y^e 21th 11th Mo., 1686.

Adjourned till y^e 16th Inst^t, 9 in y^e forenoon.

At a Meeting of the Councill in the Councill Room in Philadelphia The 16th of the 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,	Joseph Growdon,	John Barnes,
Wm. Clark,	John Bristow,	Wm. Markham, Secre.
Griff. Jones,		

Ord^d that a writt be forthwith sent to Kent County, for y^e Chooseing of a member of Councill in y^e Roome of John Curtis, Dismissed.

Ord^d that new Sheriff be Comissionated for y^e County of Sussex, with all Expedition.

Ord^d That a Comission be made for John Roads to be Renger of Sussex County.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Room at Philadelphia y^e 17th 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,	Wm. Clark,	Griff. Jones,
Jos. Growdon,	John Symcock,	Wm. Markham, Secre.

The Petition of Elizabeth Shorter, Widdow, was read, Complayning that John Rush, her son in Law, in stead of a Letter of Attorney that shee was to signe, prepared a Deed of giff of all her Estate, with power of Attorney, to one Sam^l Atkins, to acknowledge the same in Court.

The Wittness to y^e Deed were severally Examined; they all Confest the writing was not read to her, nor Could shee Ever write or Read herselfe, so y^t it appeared to this board to be an absolute Cheat.

Adjourned till further Order.

At a Meeting of the Council in the Council Roome at Philadelphia y^e 18th 3^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,

James Claypoole,

Joseph Growdon,

Jno. Symcock,

Griff. Jones,

Wm. Markham, Secre..

Wm. Clark,

The Writt for Choosing a member of Council for y^e County of Kent, in y^e Roome of Curtis, Dismissed, was this day signed by y^e President.

The Petition of John Redwood for Relief against an Execution Surreptitiously obtained against him at y^e Sute of Rich^d Hogbean, at y^e County Court of Philadelphia, (formerly Read at this board.) and now Read againe:

Answered. It is y^e Sense of y^e Council that the offers John Redwood made before y^e Members of this board for y^e Satisfacon of the Debt he Oweth to Rich^d Hogbean, are Sufficient, Viz: to give Security to pay y^e Debt in Sussex County, where the Creditor lives. Secondly, he Offered a Warrant of Attorney to Confess Judgment for y^e same in y^e next Court to be held in y^e County of Sussex, if not payd before. And Lastly, y^e Creditors refusing to take Wm. Clark security for y^e payment of y^e Debt within six weeks time, notwithstanding the Cred^r first proposed it, & Wm. Clark willing thereto. Therefore, this board's Opinion is, that y^e Creditor, Rich^d Hoggbean's, behaviour in this is Litigious and Vexatious.

The Petition of James Browne was Read, desiring the paym^t of money due to him from Chr. Taylor, Deceased.

Answered, that at the time appoynted, Arnoldus De La Grange, it shall have its answer.

The Petition of Thomas Woolaston was Read, Complaining that y^e County Court of New Castle had Denyed him an appeal to have his Cause heard in Equity, notwithstanding he gave his reasons for Requesting his appeal, and his Security then ready in Court; he produced to this board y^e Copy of y^e proceeding in y^e County Court, w^{ch} was signed by y^e Clark thereof, upon y^e Reading off which y^e Council approved of y^e reasons therein given to be sufficient for y^e granting him an appeal; & thereupon ord^d y^t y^e Secretary take Security of y^e s^d Tho. Woolaston, for the Prosecuting y^e said appeal at y^e next Prov^l Court, and then sent a Copy of this minute, with orders from this board, under y^e secretary's hand, to y^e Magistrates of New Castle County, or a Quorum thereof, willing & requiring them to stopp all further proceeding relating to this Cause in y^e County, and y^t the appeal be granted him to y^e next Prov^l Court.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome in Philadelphia
The 17th of y^e 6th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Jos. Growdon,	John Bristow,
Arth. Cook,	Nich. Newlin,	Wm. Markham, Secre.
Griff Jones,		

Ordered that a writt be sent to y^e Sherriff of Philadelphia County, for y^e Choosing of a member to serve in Prov^{ll} Councill in the Roome of James Claypoole, Deceased, & that y^e Election be on y^e 26th Inst^t.

Adjourned till 3 in y^e afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Griffith Jones,	Rob ^t Turner,
Arth. Cook,	Nich. Newlin,	Wm. Markham, Secre.
Jos. Growdon,	John Bristow,	

Ordered y^t a Gen^{ll} Comission of y^e Peace be made for y^e County of Philadelphia, and to put in John Eckley, Tho: Ellis, John Goodson, Wm. Southersby, Barnabas Willcox, Joshua Cart, John Shelton.

The Petition of about three score people, Inhabitants of Chester County, was Read, setting forth the great want of a Mill in their parts, and Requesting a Permission for Thomas Coebourne to goe forward with y^e building, and setting up of his mill on Chester Creek.

The Councill is willing to give Incouragem^t to y^e Proceedure of Thom. Coebourne in the finishing of his mill that he is now about, for y^e urgent necessity of y^e Contrey, Reserving to y^e Gov^r his Proprietary Shipp.

Adjourned till 7 to morrow morning.

At a meeting of the Councill in the Councill Room at Philadelphia
y^e 18th 6th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Griffith Jones,	John Bristow,
Arth. Cook,	Jos. Growdon,	Wm. Markham, Secre.
Rob ^t Turner,		

Ordered That those persons who were Constituted Deputies by James Claypoole, late Register Gen^{ll} of y^e Province and Territories, doe Continue in y^e Said Office untill further Ord^r.

Ord^d that John Eckley be Constituted Register Gen^{ll} in the Roome of James Claypoole, Deceased, till y^e Gov^{rs} pleasure be further knowne, in order to his Disposall of y^e said Office.

Ord^d That Thomas Hooton be requested to prove the will of Christopher Taylor, Deceased, & to administer upon y^e same.

The Petition of Arnoldus Delagrance was Read, Requesting y^e Paym^t of what was Owing to him b^y Chris. Taylor, Deceased, according to a promise made by this board 11th 2^d month last past. Referred to Tho. Hooton, who is desired to administer upon y^e Estate.

The Petition of Maj^r Wm. Dyer was Read, setting forth his sevear usage by an Illegall proceeding ag^t him at New Castle, in attachment of his Goods, & desiring Reliefe from this board.

Ordered y^t the Clark of New Castle Court be writ to to transferr to y^e Secre^{rys} Office y^e Coppy of what proceedings Remains on y^e Courts Records against Maj^r Dyer, upon y^e attachment aforesaid.

Vpon y^e Reading y^e Petition of y^e Inhabitants of Rodnor, Complaining y^t part of y^e road y^t leades thence to the ferry of Philadelphia is fenced in, & more likely to be, it was Ord^d y^t John Bevan, Henry Lewis, David Merideth, John Evans, Barnabas Wilcox & Tho. Duckett, meet within fourteen days, to view or agree upon, as Conveniently as may be, a Road from y^e Place aforesaid to y^e ferry, and y^e Like Convenient Road from Darby to y^e ferry aforesaid, by y^e said Barnabas Willcox, Tho. Duckett, with John Blunston & Joshua fearme, by y^e Time aforesaid, and to Returne y^e same to this board y^e next sitting of Councill for their approbation.

John Bristow is desired to give y^e Persons above mentioned notice thereof in his Returne.

Wheras there was a late Order for y^e Viewing and Discovering a maine Road from y^e Center of Philadelphia y^e Shortest way to y^e falls, it is Requested y^t Rob^t Turner and Wm. Markham, with y^e Assistance of y^e Survey^r Gen^l and his Deputy, to make use of y^e most speedy and Succesfull Methods for y^e running y^e same.

The Petition of John Ithell was Read, setting forth that Rob^t Turner had Nine Small baggs of peices of Eight of Wm. Steets of Cork, in y^e Kingdom^e of Ireland, part of w^{ch} y^e said Robert Turner hath delivered, and desires to be acquitted of y^e Residue, therefore prays it might Lodg in y^e hand of Humphrey Morrey, or John Bristow, or who y^e Councill shall appoynt.

The Councill would not meddle with it.

Adjourned till y^e 8th 7th Mo. next.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^e 8th 7th month, 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,
Jno. Cann,
P^r Alrichs,

Jno. Bristow,
Griffith Jones,
Nich. Newlin,

Robt. Turner,
Wm. Markham, Secret^r.

The Petition of Maj^r Wm. Dyer that was Read y^e last sitting of the Councill was againe Read.

The Clark of New Castle County being present, and Informing y^e Council of y^e favourable proceedure of y^e County Court upon y^e Attachment of y^e Goods of Maj^r Wm. Dyer, at y^e sute of Mathias Vanderhayden, in not granting Judgment, notwithstanding y^e Petitioner's promise of appearance y^e second Court after y^e proces served, and they being now better satisfied of his Estate and Residence in this Governm^t, Wee doubt not but upon his application to them he will finde Speedy and Easey Redress.

Vpon the Application of Thomas Hooton, who was desired y^e last sitting of Councill to prove y^e Will & administer upon y^e Estate of Chris. Taylor, he accepted y^e same, upon this Request, that he might not be Continued Longer by the Councill then he would well discharge y^e same, the w^{ch} y^e Councill Granted.

Sam^l Carpenter was Returned to this board to serve as a member of Prov^l Councill y^e Remaining part of y^e time James Claypoole was to serve.

Part of a Scurrilous Invective Libel against Rob^t Turner, a worthy member of this board, & formerly one of y^e Judges for this Province and Territorys, w^{ch} very abusively reflected upon him in y^e Execution of that Office, in such matter as to our Certaine Knowledge is most abominably false and untrue, was Read;

Wherupon it was unanimously agreed by all y^e members present, that all Convenient Speedy Course shall be taken for y^e Discovering of y^e forgers, or first Contrivers, as well as y^e Publishers of y^e same, that they may be brought to Condigne punishment.

Adjourned till tenn To morrow morning.

At a meeting of the Councill in the Councill Roome in Philadelphia y^e 19th 2^d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Robt. Turner,	Jno. Bristow,	Sam ^l Carpenter,
Jno. Symcock,	Nich. Newlin,	Wm. Clark,
John Cann,	Griff. Jones,	Wm. Markham, Secre.
Pet ^r Alrichs,		

Sam^l Carpenter, y^t was Returned yesterday by y^e Sheriff of Philadelphia County, to serve in Prov^l Councill in y^e Roome of James Claypoole, for y^e Remayning time he was to serve, This day signed y^e attest and took his place at y^e Board.

John Cann proposed in y^e behalfe of y^e County of New Castle, y^t the King and Gov^r Concerne may not suffer for want of an Attorney Gen^l. The Councill take it in to Consideration, y^t y^e Province and Territories shall be supplied as occasion shall Require.

Ord^d that Writts Issue forth for y^e Choosing of two members of Prov^l Councill, one for y^e County of Kent, in y^e Roome of John

Richardson, who for his non appearance according to Law and Charter, and his seeming unwillingness to serve, is Removed.

The other for y^e County of Sussex, in y^e Roome of Maj^r Wm. Dyer, who for not Clearing himselfe of y^e Charge against him within y^e time allowed him, is Dismissed.

Ord^d that if John Eckley refuses to accept of the Office of Register Gen^l, y^t the Presid^t offer it to John Goodson.

Adjourned till y^e tenth of y^e next Mo.

At a Meeting of the Councill in the Councill Roome at Philadelphia y^e 28th 7 bre., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,	Sam ^l Carpenter,	John Barnes,
John Symcock,	Nich. Newlin,	Robt. Turner,
Griff Jones,	Edw ^d Green,	Wm. Markham, Secre.

Ordered that Thomas Ellis be put in the Comission for Register Gen^l, in y^e Roome of John Eckly, formerly appoynted for y^e same, and in Case Thomas Ellis Refuse it, y^e President and Secretary are Impowred to nominate and appoynt one.

Adjourned till y^e 25th next month.

At a meeting of the Councill in the Councill Room at Philadelphia y^e 18th 9th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,	John Barnes,	Jos. Growdon,
John Symcock.	John Bristow,	Griffith Jones.

Wm. Carter's Year of Sherriffalty being Expired, y^e Councill doe hereby nominate and authorise John Claypoole to act and be Sherriff for the City and County of Philadelphia, and y^t y^e Secretary upon his Returne, doe forthwith prepare a Comission accordingly, to Continue till further Order, and y^e Presid^t is desired to signe y^e same.

Adjourned till To morrow.

At a Meeting of the Councill in the Councill Roome In Philadelphia the 19th of y^e 9th month, 1687.

PRESENT:

THOMAS LLOYD, Presid^t.

Arth. Cook,	John Bristow,	Jos. Growdon.
John Symcock,	Griff Jones,	

Whereas we are Informed by Wm. Clark, a member of Council for y^e County of Sussex, y^t y^e Comission of the Peace for y^e said County is Expired, it is therefore y^e Request of this present Council that y^e Presid^t, wth y^e assent of y^e present members, doe send to y^e said County a New Comission by y^e first Opportunity.

The Presid^t as aforesaid, is Desired to Supply Kent County also with a Comission, if occasion be.

Adjourned till further Order.

At a Meeting of the Council in the Council Roome at Philadelphia y^e 8th 12th Mo., 1687-8.

PRESENT:

THOMAS LLOYD, Presid^t.

Rob ^t Turner,	John Cann,	Jos. Growdon,
Arth. Cook,	Jno. Bristow,	Sam ^l Carpenter,
Jno. Symcock,	Phi: Pemberton,	Wm. Markham, Secre.
Pet ^r Alrichs,	Griff Jones,	

Adjourned till 3 in the afternoon, or till further Order.

At a Meeting of the Council in the Council Roome in Philadelphia y^e 9th 12th Mo., 1687-8.

PRESENT:

THOMAS LLOYD, Presid^t.

Robt. Turner,	Griff. Jones,	Joseph Growdon,
Arth. Cook,	Phin. Pemberton,	John Cann,
Jno. Symcock,	Sam ^l Carpenter,	Wm. Markham, Secre.
Pet ^r Alrichs,	John Bristow,	

The Govⁿ Comission under y^e broad Seal, unto Thomas Lloyd, Rob^t Turner, Arth. Cook, John Symcock, & John Eckley, Impowring them, or any three of them, to be his Deputy or Leiftenant, was Read.

At a Meeting of the Council in the Council Room at Philadelphia y^e 9th 12th Mo., 1687-8.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. Arth. Cook,		
		4. John Symcock,		
		5. John Eckley.		

Councillors.	{	Peter Alrichs,	Sam ⁿ Carpenter,
		Joseph Growdon,	Phin. Pemberton,
		John Cann,	Griffith Jones,
		John Bristow,	Wm. Markham, Secret ^y .

The Returne of Kent County was Read, wherein was Returned Wm. Markham, to serve in Provⁿ Council in the Roome of John Richardson; y^e Returne was allowed by y^e Deputy Gov^r & Provⁿ Council, & Wm. Markham accepted as a member of y^e Council, attested, and took his place.

The Petition of Thomas Clifford was Read, Requesting Reliefe; being poor, and Long served y^e Council as their Messenger, It was unanimously agreed by y^e Deputy Gov^r & Council, that Each County shall pay him twenty Shillings, forthwith, for his present Relief.

Adjourned till further Order.

At a Meeting of the Deputy Gov^r & Council in y^e Council Room at Philadelphia y^e 30th of y^e 1st Mo., 1688.

PRESENT:

Councillors.	{	1.	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. John Symcock,		
		4. Arth. Cook,		
		5. Jno. Eckley.		
Councillors.	{	Griffith Jones,	Wm. Yardley,	
		Sam ⁿ Carpenter,	Barth. Coppock,	
		Sam ⁿ Richardson,	Wm. Markham, Seere.	

Four of y^e above mentioned Councillors were Returned by y^e Sheriffs of their respective Counties, to serve as members of Council for three years next Ensuing, Viz^t: Samⁿ Richardson for Philadelphia, Wm. Yardley for Bucks, Barth. Coppock for Chester Counties, Griffith Jones for Kent; the which Returnes were accepted; y^e members Returned admitted, signed y^e Attest, and took their place.

Adjourned till 9 to morrow in y^e forenoone.

At a Meeting of the Dep^y Gov^r & Council in the Council Roome at Philadelphia y^e 31th of y^e 1^o Mo., 1688.

PRESENT:

Councill.	{	1.	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. Jno. Symcock,		
		4. Arth. Cook,		
		5. John Eckley.		

Councillors.	{	Criffith Jones, Sam ⁿ Carpenter, Sam ⁿ Richardson, Wm. Yardley,	}	Barth. Coppock, John Bristow, Wm. Markham, Secre.
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Wm. Clark's Letter to y^e Dep^y Gov^r and Council, without Date, was Read.

Luke Watson appeared and Presented himselfe as a member of Council, Chosen y^e last Election, for y^e County of Sussex, but no Return being made Could not be admitted.

The Complaint of y^e Maj^r part of y^e free-holders of Sussex County against y^e Sheriff, for not returning a Member they had Chosen to serve in Provⁿ Council, was Read.

John Hill presenting y^e Complaint was Called in, and answer given him that it should have a Due Consideration, and Justice Don to y^e County.

Ord^d That franc. Cornwell, Sherriff of Sussex County, be Ord^d to appear before y^e Deputy Gov^r and Council y^e same day y^e next Genⁿ Assembly is to meet, to answer y^e Complaint above.

Adjourned till y^e 2^d of y^e next Mo., tenn in y^e forenoon.

At a Meeting of the Dep^y Gov^r & Council in the Council Roome at Philadelphia y^e 2^d of y^e 2^d Mo., 1688.

PRESENT:

Councillors.	{	1. 2. Robt. Turner, 3. John Symcock, 4. Arth. Cook, 5. John Eckley,	}	Dep ^y Gov ^r .
Councill ^r .	{	John Bristow, John Cann, Griff Jones, Sam ⁿ Richardson, Sam ⁿ Carpenter,	}	Wm. Yardley, Barth Coppock, Jos. Growdon, Wm. Markham, Secre.

The Returne of New Castle County was Read & allowed off.

Johannes D. Haes was Returned to serve in Provⁿ Council, but made not his appearance at y^e board.

Adjourned till 3 in y^e afternoon.

POST MERIDIAM.

PRESENT:

Councill.	{	1. Thomas Lloyd, 2. Robt. Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley,	}	Dep ^y Gov ^r .
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Councillors.	{	John Bristow,	Griff. Jones,
		Sam ^l Carpenter,	John Cann,
		Joseph Growdon,	Sam ^l Richardson,
		Wm. Yardley,	Wm. Markham, Secre.
		Barth. Coppock,	

Adjourned till 9 to morrow in forenoon.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2.		
		3. John Symcock,		
		4. Arth. Cook,		
		5. John Eckley.		
Councill ^r .	{	Griffith Jones,	}	John Cann,
		Pet ^r Alrichs,		Barth. Coppock,
		John Bristow,		Sam ^l Richardson,
		Wm. Yardley,		Joseph Growdon,
		Sam ^l Carpenter,		Wm. Markham, Secre.

Severall Petition were Read from y^e Inhabitants of their Respective Counties, Requesting y^e Prohibiting y^e Exportation of Dear skins. They were Referred to the Consideration of a Comittee.

Severall Orders of y^e Last Legislative Councill were Read.

The Comittee appoynted are Sam^l Carpenter, John Bristow, Joseph Growdon, John Cann & Griffith Jones.

Adjourned till 10 to morrow forenoon.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^e 4th of y^e 2^d Mo., 1688.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2.		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley.		
Councill ^r .	{	John Cann,	}	Wm. Yardley,
		Pet Alrichs,		Barth Coppock,
		Sam ^l Richardson,		Sam ^l Carpenter,
		John Bristow,		Griff. Jones,
		Joseph Growdon,		Wm. Markham, Secre.

The Committee appoynted yesterday, brought to this board their transactions, w^{ch} were Read & ffyled.

The board debated upon severall of y^e Propositions y^e Committee presented.

Adjourned till 3 in the afternoon.

POST MERIDIEM.

PRESENT:

Councill ^r .	{ 1. Thomas Lloyd, 2. 3. John Symcock, 4. Ar.hur Cook, 5. John Eckley.	} Dep ^y Gov ^r .
Councill ^r .	{ John Bristow, Joseph Growdon, Sam ^l Richardson, Sam ^l Carpenter, Wm. Yardley,	{ John Cann, Pet ^r Alrichs; Barth. Coppock, Griffith Jones, Wm. Markham, Secre.

The Debate w^{ch} began in y^e forenoon Continued. The Committee was appoynted to draw up some bills in order to promulgation.

Adjourned till 9 to morrow in y^e forenoon.

At a Meeting of the Council in the Council Room at Philadelphia y^e 5th of y^e 2^d Mo., 1688.

PRESENT:

Councill ^r .	{ 1. Thomas Lloyd, 2. Rob ^t Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley.	} Dep ^y Gov ^r .
Councill ^r .	{ Sam ^l Richardson, Peter Alrichs, Wm. Yardley, John Cann, Sam ^l Carpenter,	{ Barth. Coppock, Griffith Jones, John Bristow, Joseph Growdon, Wm. Markham, Secre.

The Committee brought in severall Bills Drawne up, y^e w^{ch} were Debated, and that they may be in a more Exact forme, they were Recommended to y^e Care of John Cann, Sam^l Carpenter & Jos. Growdon, as a Committee, with y^e Attorney Gen^l to assist them.

Adjourned till 7 To morrow morning.

At a Meeting of the Council in the Council Room In Philadelphia
y^e 6th of y^e 2^d Mo., 1688.

PRESENT:

Councill ^r .	{ 1.	} Dep ^y Gov ^r .
	2. Rob ^t Turner,	
	3. John Symcock,	
	4. Arth. Cook,	
	5. John Eckley.	
Councill ^r .	{ Sam ⁿ Carpenter.	Jno. Cann,
	Griffith Jones,	Pet ^r Alrichs,
	Jno. Bristow,	Wm. Yardley,
	Sam ⁿ Richardson,	Joseph Growdon,
	Barth. Coppock,	Wm. Markham, Secre.

The Proposals made to this board were severally Debated, as followeth:

1st. About fferryes. It is Referred to y^e Law in y^e Case made.

2^d. About Provision for y^e Poor.

Resolved, y^e County Courts not having sufficient Power, notwithstanding y^e 126 Law, to Raise money for a Stock to Defray necessary Charges of their Respective Counties, it is therefore ord^d by y^e Gov^r and Council, thatt a bill be prepared to Enable them to Raise y^e same according to their discrestions, by w^{ch} mean^s y^e 32^d Law will be supplied.

3^d. About Selling of Rum to y^e Indians. Ord^d y^e y^e Magistrates be Reminded to put y^e 15th Law in Execution, both in y^e Province & Territories.

4th. After a Considerable Time taken up in Debate about This proposition, it was put by.

Adjourned till 2 in y^e Afternoon.

POST MERIDIEM.

PRESENT:

Councill ^r .	{ 1. Thomas Lloyd,	} Dep ^y Gov ^r .
	2. Rob ^t Turner,	
	3. John Symcock,	
	4. Arthur Cook,	
	5. John Eckley.	
Councill ^r .	{ Sam ⁿ Carpenter,	Griffith Jones,
	Sam ⁿ Richardson,	John Bristow,
	Peter Alrichs,	Barth. Coppock,
	John Cann,	Jos. Growdon,
	Wm. Yardley,	Wm. Markham, Secre.

5th. About Killing of Wolves.

Resolved, y^e y^e Gov^r and Council, when desired by y^e Respective Magistrates of any Court, will grant their Order for y^e Encouraging y^e Indians to y^e Destroying of Wolves beyond y^e provision made by Law.

6thly. About y^e Strengthening the 169 Law about y^e Transportation of Dear Skins. Ord^d a Bill be prepared for y^e same.

Adjourned till 7 To morrow morning.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^e 7th of y^e 2^d Mo., 1688.

PRESENT :

Councill ^r .	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2.		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley.		
Councillors.	{	Wm. Yardley,	}	Joseph Growden.
		John Bristow,		Sam ⁿ Richardson,
		Sam ⁿ Carpenter,		Griffith Jones,
		John Cann,		Peter Alrichs,
		Barth. Coppock,		Wm. Markham, Secre.

The Gov^r of New York's Letter Directed to y^e President & Councill, bearing date y^e 30th of March, 1688, with y^e Coppy of y^e King's Ord^r directed to y^e Said Gov^r, were both Read at this Board: it was Recomend^d to y^e Members of Councill to give their Oppinion thereon.

A bill for Enabling Widdows and Administrators of Intestates, with approbations of y^e Councill, &c. to dispose of part of y^e Intestate's Lands towards y^e Defraying of Just Debts, Towards y^e Education of Children and support of y^e Widdows, &c. was y^e first time Read.

A bill for y^e prohibiting y^e Exportation of Dear Skins undressed, wthout Certificate, as in y^e 169 Law, and drest in no wise, was y^e first time Read.

Adjourned for an Hour.

POST MERIDIEM, the 7th of y^e 2^d Mo., 1688.

PRESENT :

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2. Rob ^t . Turner,		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley.		
Councillors.	{	Wm. Yardley,	}	Griffith Jones,
		P ^r Alrichs,		Sam ⁿ Richardson,
		John Cann,		Sam ⁿ Carpenter,
		Barth. Coppock,		Wm. Markham, Secre.
		Joseph Growdon,		

The Petition of Thomas Woollaston was Read, Requesting relief ag^t Gramton for not obeying y^e Decree of y^e Provⁿ Judges, and

forceably Entred into his house, & Driven his Cattle off of his Land.

The Deposition of James Read, taken before Cornelius Empson, justice of y^e Peace, (wth* witnesseth y^t Thomas Woollaston tendered pay to John Gramton, according to y^e Judge's Decretall Order,) was Read.

A Certificate was Read, signed by John Richardson, Hen. Hollingsworth & David Richardson, Certifying y^t y^e said Woollaston had at fernhook two Cows, one Bull, one horse, Bridle and Saddle, valued by them at Eighteen pounds, w^{ch} was tendered for y^e satisfieing of John Gramton, according to y^e Prov^l Judge's Decree. The Judge's Decree aforesaid was Read.

The whole Matter in Difference between Thom. Woollaston and Jno. Granton, as a fore said, is by Ord^r of this board Referred to y^e Determination of the Judges at y^e next Prov^l Court, and notice to be sent to John Granton to appear there.

The Petition of Wm. Guest ag^t y^e Sheriff of New Castle County was Read. John Cann accomodated y^e Difference.

Mordica Howell's Petition was Read, Craveing an Ord^r for a Speciall Court: he was Referred to y^e County Court.

The Petition of James Fox in y^e behalfe of y^e Plymouth friends was Read, Requesting y^e Confirmation of y^t Road to y^e Plymouth Townshipp, w^{ch} was Laid out by an Ord^r from this board. Ord^d that it shall Continue till altered by the Gov^r & Councill.

The Petition of y^e Inhabitants of at y^e Center of Philadelphia, Requesting y^e fayr to be Kept there.. Answered the next fayr will be granted to be kept at y^e Center.

Adjourned till y^e 9th Ins^t, 9 in y^e forenoon.

At a Meeting of the Councill in y^e Councill Room at Philadelphia y^e 9th of y^e 2^d Mo., 1688.

PRESENT:

Council ^{rs} .	{	1.	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. John Symcock,		
		4. Arth. Cook,		
		5. John Eckley.		
Councill ^{rs} .	{	Sam ^l Richardson,	}	Peter Alrichs,
		John Cann,		Sam ^l Carpenter,
		Joseph Growdon,		John Bristow,
		Griffith Jones,		Barth. Coppock,
		Wm. Yardley,		Wm. Markham, Secre.

The Petition of Henry Stretcher was Read, Requesting Relief ag^t y^e Sevear sentence of y^e County Court of Sussex ag^t him in an action of

*Evidently w^{ch}.

Slander, wherein Wm. Clark was Plantive ag^t him; the proceedings of y^e County Court was likewise Read.

Ordered that an Ord^r be sent to y^e Sheriff of Sussex County to suspend y^e whipping of Henry Stretcher, w^{ch} was part of the Sentence, untill y^e first day of y^e 4th Mo., next.

Adjourned for an hour and halfe.

POST MERIDIEM.

PRESENT :

Councillors.	<ol style="list-style-type: none"> 1. Thomas Lloyd, 2. Rob^t Turner, 3. Arthur Cook, 4. John Symcock, 5. John Eckley. 	}	Dep ^y Gov ^r .
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Samⁿ Richardson,
Peter Aldrichs,
John Cann,
Wm. Yardley,

Samⁿ Carpenter,
Joseph Growdon,
Griffith Jones,

John Bristow,
Barth. Coppock,
Wm. Markham, Secre.

The bill for Enabling Widdows of Intestates to Dispose of Lands was Read, with approbation, the second time.

The Bill prohibiting y^e Exportation of Deer Skins, &c. was Read y^e Second time.

The Bill for Continuing of y^e former Laws was Read y^e first time.

The Bill for Sale of Lands upon Execution to pay debts, being Explanatory and additionall to a former Law made at Upland, wherein Land were made Lyable to pay debts, Read y^e first time.

The Presid^t was desired as being M^r of y^e Rolls, that a bill might be prepared for y^e Indemnificing of Gifts, Grants, & Conveyances of Land, and other writings w^{ch} were un recorded, or not Recorded according to Law, and that all bills and bonds may be free for y^e future that is under y^e penalty of that Law.

Adjourned till 7 to morrow morning.

At a Meeting of the Councill in the Councill Room at Philadelphia y^e 10th of y^e 2^d month, 1688.

PRESENT :

Councillors.	<ol style="list-style-type: none"> 1. Thomas Lloyd 2. Robert Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley. 	}	Depty Gov ^r .
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Samⁿ Carpenter,
Samⁿ Richardson,
John Cann,
Joseph Growdon,

Wm. Yardley,
Barth. Coppock,
Griffith Jones,

Jno. Bristow,
Peter Alrichs,
Wm. Markham, Secre.

Adjourned for an hour and half.
 until 4th day of 4th Mo., next.
 suspend^d whipping of Henry Swisher, was part of the Sentence,
 Ordered that an Ord^r be sent to 4th Sheriff of Sussex County to
 of 4th County Court was likewise Read.
 Standers, wherein Wm. Clark was Plaintiff ag^t him; the proceedings

POST MERIDIEM.

PRESENT:

Dep ^y Gov.	{	1. Thomas Lloyd,	Councillors.
		2. Rob ^t Turner,	
		3. Arthur Cook,	
		4. John Symcock,	
		5. John Eckley.	

Sam ^l Richardson,	Sam ^l Carpenter,	John Bristow,
Peter Aldrich,	Joseph Growdon,	Barth. Copcock,
John Cann,	Griffith Jones,	Wm. Markham, Sec ^y .
Wm. Yardley,		

The Bill for Enabling Widows of Intestates to Dispose of Lands
 was Read, with approbation, the second time.
 The Bill prohibiting 4th Exportation of Deer Skins, &c. was Read
 4th Second time.
 The Bill for Continuing of 4th former Laws was Read 4th first
 time.

The Bill for Sale of Lands upon Execution to pay debts, being Ex-
 planatory and additional to a former Law made at Upland, wherein
 Land were made Liable to pay debts, Read 4th first time.
 The Presid^t was desired as being M^r of 4th Rolls, that a bill might
 be prepared for 4th Indemnifying of Gifts, Grants, & Conveyances of
 Land, and other writings w^{ch} were as recorded, or not Recorded ac-
 cording to Law, and that all bills and bonds may be free for 4th future
 that is under 4th penalty of that Law.

Adjourned till 7 to morrow morning.

At a Meeting of the Council in the Council Room at Philadelphia
 4th 10th of 4th month, 1688.

PRESENT:

Dep ^y Gov.	{	1. Thomas Lloyd,	Councillors.
		2. Robert Turner,	
		3. John Symcock,	
		4. Arthur Cook,	
		5. John Eckley.	

Sam ^l Richardson,	Wm. Yardley,	John Bristow,
Sam ^l Carpenter,	Barth. Copcock,	Peter Aldrich,

The President brought in a bill to this board for y^e Indemnifying y^e non and undue Recording of Gifts, grants and Conveyances, &c., wth y^e Exception Desired. Read y^e first time.

The bill of Supply was y^e first time Read.

The Returne of y^e members for Sussex County was Read and allowed, but it being Sent by water mist its being here in Due time.

Adjourned till two in the afternoon.

POST MERIDIEM.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2. Robert Turner,		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley.		

Joseph Growdon,
Wm. Yardley,
John Bristow,
Griffith Jones,

Barth. Coppock.
Sam^l Carpenter,
John Cann,

Sam^l Richardson,
Peter Alrichs,
Wm. Markham, Secre.

The bill for Continuing y^e former Laws a second time Read.

The bill for Enabling Widdows of Intestates to sell land, &c. Read a Second time.

The Bill for making Lands Lyable to pay debts was Read a second time.

The bill for Intrest read y^e first time.

Adjourned till two in y^e Afternoon to morrow.

At a Meeting of y^e Councill in the Councill Room at Philadelphia y^e 11th of y^e 2^d month, 1688.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley.		

Wm. Yardley,
Sam^l Richardson,
Barth. Coppock,
Sam^l Carpenter,

Joseph Growdon,
John Cann,
Pet^r Alrichs,

John Bristow,
Griffith Jones,
Wm. Markham, Secre.

The Petition of Abrah. Man was Read, requesting y^e Gov^r and Councill to Order him a Rehearing in y^e County of New Castle, of y^e Actions in w^{ch} Judgment passed against him in his absence, he being out of y^e Government and knew not of their Comencement. The Justices of y^e Said County at his Returne had granted him an

appeal to y^e Provⁿ Court, but y^e Judges therof not thinking it Came Regularly before them, Refused the hearing of it.

The bill for Supply was Read a Second time.

The bill about Intrest was Read a Second time.

The bill about y^e Records was Read a Second time.

The Bill for Prohibitting y^e Exportation of Deer Skins was Read a Second time.

Adjourned till to morrow morning.

Wm. Clark,
Jos. Growdon,
Sam^r Carpenter,

Barth Coppock,
John Bristow,
Wm. Darvall,

Sam^r Richardson,
Lake Watson,
Wm. Markham, Secre.

At a Meeting of the Councill in the Councill Room In Philadel-
phia y^e 12th of y^e Second Mo., 1688.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley.		

Sam ⁿ Richardson,	Griffith Jones,	Pet ^r Alrichs,
John Bristow,	Sam ⁿ Carpenter,	Wm. Markham, Secre.
Barth. Coppock,	Wm. Yardley,	

Abraham Man further Complaining of y^e Sevear and Irregular proceedings of y^e County Court of New Castle, by a Judgm^t unduly obtained against him in his absence, upon y^e Plaint of Alderman Ridges, by Samⁿ Jennings, his attorney, and without defence made in his behalfe.

The Gov^r and Councill upon full hearing of this matter, have ordeined y^t y^e same Cause of action be heard over, and Determined according to Law, at y^e next Provⁿ Court in Philadelphia, to be held y^e 24th of y^e next 7th month.

It is Ordered likewise, that y^e Cause of Action or Difference between Abrah. Man and Wm. Guest, and for w^{ch} y^e said Wm. Guest obtained Judgm^t lately in y^e County Court of New Castle, and Execution there-upon against y^e Said Abrah. Man, he being neither present, nor Deffence made in his behalfe, that y^e same be heard and Tryed in y^e said County Court; The Second Court next Ensuing y^e date hereoff.

1. The Bill for Continuance of former Laws.
2. The Bill for Enabling of Widdows of Intestates to sell Land.
3. The Bill prohibiting y^e Exportation of Deer Skins before being Exposed to Sale.

4. The Bill to make Lands layable to pay Debts.

5. The Bill for Legall Intrest.

6. The Bill about Records.

7. The Bill for Supply.

The afore named seven Bills were the third time Read and unanimously passed, in Order for promulgation.

Adjourned till further Order.

At a Meeting of the Council in the Council Room in Philadelphia
y^e 10th 3^d month, 1688.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley,		

Wm. Clark,	Barth. Coppock,	Sam ^l Richardson,
Jos. Growdon,	John Bristow,	Luke Watson,
Sam ^l Carpenter,	Wm. Darvall,	Wm. Markham, Secre.
Johanes D'Haes,	John Cann,	

Johannes D'Haes, who was Chosen a Member of Council y^e last Election, for y^e County of New Castle, presented himselfe to this board, was attested, & took his Place.

Luke Watson, who was y^e Last Election Chosen and Returned a Member of this board, but lying under a great Scandall & Infamous Reputation, was not admitted to sitt at this board untill he had Cleared himselfe thereof, This day brought Certificate thereof, w^{ch} was by y^e board sufficient, and thereupon was attested, and took his place.

A Committee was appoynted to Receive proposalls for amendments upon y^e bills. The persons Were: Sam^l Carpenter, Sam^l Richardson, Wm. Clark, Wm. Darvall, John Bristow, Wm. Markham.

Adjourned till y^e 12th Inst^t, 7 in y^e morning.

At a Meeting of the Council in the Council Room In Philadelphia
the 12th of y^e 3^d Mo., 1688.

PRESENT:

Councillors.	{	1.	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. John Symcock,		
		4. Arth. Cook,		
		5. John Eckley.		

Joseph Growdon,	Sam ^l Carpenter,	John Cann,
Wm. Darvall,	Luke Watson,	Sam ^l Richardson,
Joha. D'Haes,	John Bristow,	Wm. Markham, Secre.
Barth. Coppock,	Wm. Clark,	

The Petition of Moses Aboab was Read, Complayning against John Day for Selling a Servant who now works at y^e hoaw in y^e Lower Countyes, and with whome y^e said John Day had of his father in London, tenn Guinnies to teach him y^e trade of a Carpenter, and besides, y^e father paid for y^e said Servant's passage to Pennsilvania.

Ord^d that John Day appear at this board to answer y^e Complaint

above going, y^e next second day, w^{ch} will be y^e 14th Inst., or at y^e next Sitting of the Councill.

Adjourned till two in y^e Afternoon.

POST MERIDIEM.

PRESENT:

Councillors.	<ol style="list-style-type: none"> 1. Thomas Lloyd, 2. Rob^t Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley. 	Dep ^y Gov ^r .
Wm. Clark,	Johanes D'Haes,	Wm. Darvall,
Sam ^l Richardson,	Luke Watson,	John Bristow,
Joseph Growdon,	John Cann,	Wm. Markham, Secre.
Barth. Coppock,	Sam ^l Carpenter,	

The Committee presented to this board three bills w^{ch} was brought to them from y^e Assembly, with their Amendments thereon, (Viz^t:) The Bill for Continuance of y^e Laws: y^e Bill Enabling Widdows to Sell Land, &c. The bill for 8 per cent. for a year's forbearance of money or goods.

Adjourned till y^e 14th Ins^t, forenoon.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^e 14th of y^e 3^d Mo., 1688.

PRESENT:

Councillors.	<ol style="list-style-type: none"> 1. Thomas Lloyd, 2. Rob^t Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley. 	Dep ^y Gov ^r .
Wm. Clark,	Joha. D'Haes,	Jos. Growdon,
Wm. Darvall,	Sam ^l Carpenter,	Barth. Coppock,
Luke Watson,	Sam ^l Richardson,	Wm. Markham, Secre.

Two bills, with their Amendments, were brought from y^e Assembly by Two of their members; one was to make land Lyable to pay debts, y^e other about Recording deeds in y^e Rolls Office.

Adjourned till 3 in y^e Afternoon.

POST MERIDIEM.

PRESENT:

Councill ^{rs} .	<ol style="list-style-type: none"> 1. Thomas Lloyd, 2. Rob^t Turner, 3. John Symcock, 4. Arthur Cook, 5. John Eckley. 	Dep ^y Gov ^r .
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Wm. Clark,	John Bristow,	Wm. Darvall,
Sam ⁿ Richardson,	Sam ⁿ Carpenter,	Johan. D'Haes,
Barth. Coppock,	Luke Watson,	Wm. Markham, Secre.

Two members from y^e Assembly Came to y^e Council with this Message. That y^e Assembly Requested y^t a Certain number of them in behalfe of y^e whole, might have y^e privilege to Confer with y^e Council about some affaires.

Answered: That they might Come if they pleased, but first they should acquaint y^e Gov^r and Council of their business before they Can be admitted to a Conferance.

The Assembly Came with their Speaker, and was admitted: the Conference was Chiefly about their privileges.

Adjourned till 7 to morrow morning.

At a Meeting of the Council in the Council Room In Philadelphia y^e 15th of y^e 3^d month, 1688.

PRESENT:

Councillors.	{ 1. Thomas Lloyd,	} Dep ^y Gov ^r .
	{ 2. Rob ^t Turner,	
	{ 3. John Symcock,	
	{ 4. Arthur Cook,	
	{ 5. John Eckley.	

Wm. Clark,	Sam ⁿ Richardson,	Sam ⁿ Carpenter,
Wm. Darvall,	Johan. D'Haes,	John Bristow,
Jos. Growdon,	Luke Watson,	Wm. Markham, Secre.
Barth. Coppock,		

The Petition of Luke Watson was Read, against Henry Bowman, Ranger of y^e County of Kent, for his Killing y^e said Watson's Hogs, pretending they were Strays.

Adjourned to the Meeting house.

At a Meeting of the Council in The Meeting house in Philadelphia.

After Debateing with and Convincing y^e Assembly w^{ch} Came to the Council of their Irregular proceedings in severall matters, as their Charge against the Judges upon a Decree in y^e Case of Gramton & Woolaston, as also their Complaint against John Bristow, &c. The Council adjourned to meet againe in an houre, in y^e Council Room.

The Council Mett accordingly.

A Summons was sent Directed to Thomas Clyfford, Messenger, for the Summonsing y^e Subscribers of a Contemptuous Printing paper

touching y^e Keeping of y^e fair at y^e Center, where it was Ordered by y^e Gov^r and Councill to be Kept.

The Petition of Peter Gronendike was Read, setting forth his trouble in the mannagement of the Estate of Cornelius Verhoofe, Deceased, as his Executor, begging Relief therein.

Adjourned till Six to morrow morning.

At a Meeting of the Councill in the Councill Roome in Philadelphia y^e 16th of y^e 3^d month, 1688.

PRESENT :

Councillors.	{ 1. Thomas Lloyd, 2. Rob ^t Turner, 3. John Symcock, 4. Arth. Cook, 5. John Eckley.	} Dep ^y Gov ^r .
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Wm. Clark,	Barth. Coppock,	John Bristow,
Sam ^l Richardson,	Luke Watson,	Sam ^l Carpenter,
Johan. D'Haes,	Wm. Darvall,	Wm. Markham, Secre.

The Returne of y^e Warr^t granted yesterday for y^e Summonsing the subscribers of y^e Contemptuous printed advertisem^t against Keeping y^e fayre at y^e Center, was made by the Messenger, and he attested that they were all and Each of them Summonsed, Severall of y^e Subscribers Excusing themselves.

The Dep^y Gov^r & Councill, after Reproveing them, did pardon all those who subscribed to what was Endorsed on y^e back of one of y^e printer papers.

Adjourned till to morrow, 7 in y^e forenoon.

At a Meeting of the Councill in the Councill Room at Philadelphia y^e 17th 3^d Mo., 1688.

PRESENT :

Councillors.	{ 1. Tho. Lloyd, 2. 3. John Symcock, 4. Arth. Cook, 5. John Eckley.	} Dep ^y Gov ^r .
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Wm. Darvall,	Johan D'Haes,	Wm. Yardley,
Sam ^l Richardson,	Luke Watson,	Wm. Markham, Secre.
Joseph Growdon,	Sam ^l Carpenter,	

Severall Petitions were Read this forenoon, and answers given to them.

Adjourned till two in the afternoon.

POST MERIDIEM.

PRESENT:

Councillors.

1. Thomas Lloyd,
- 2.
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Dep^y Gov^r.

Wm. Darvall,	Johan. D'Haes,	Wm. Yardley,
Sam ⁿ Richardson,	Luke Watson,	Peter Alrichs,
Joseph Growdon,	Sam ⁿ Carpenter,	Wm. Markham, Secre.

The Assembly having two bills yett not Returned to this board, and the board Resolving to give no answer to any of their amendments untill they saw what would become of y^e other two,

Adjourned till 7 to morrow morning.

At a Meeting of the Councill in the Councill Room in Philadelphia the 18th of y^e 3^d Mo., 1688.

PRESENT:

Councillors.

1. Tho. Lloyd,
2. Rob' Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Dep^y Gov^r.

Wm. Clark,	Sam ⁿ Carpenter,	Wm. Yardley,
Sam ⁿ Richardson,	Barth. Coppock,	John Bristow,
Griffith Jones,	Joseph Growdon,	Peter Alrichs,
Wm. Darvall,	Johannes D'Haes,	Wm. Markham, Sec ^r .
Luke Watson,		

The Gov^r and Councill finding y^e fayr at Philadelphia happens to be, as now held, on y^e Latter days of y^e Sitting of y^e Gen^l Assembly, which much Impedes the publick buisness of the Government, It is therefore Ordered by y^e Dep^y Gov^r and Councill, that hereafter it shall be Kept on y^e 20th day of y^e 3^d month.

And it is further Ordered y^e an Additionall fayr be Kept at Philadelphia at y^e Center, to be held y^e 30th day of y^e next Sixth month.

Adjourned till 6th to morrow morning.

At a Meeting of the Councill in The Councill Room at Philadelphia
y^e 19th of y^e 3^d Mo., 1688.

PRESENT:

Councillors.	{	1. Thomas Lloyd,	}	Dep ^y Gov ^r .
		2. Rob ^t Turner,		
		3. John Symcock,		
		4. Arthur Cook,		
		5. John Eckley.		

Wm. Clark,
Wm. Darvall,
Pet^r Aldrichs,
Jos. Growdon,

Wm. Yardley,
John Bristow,
Sam^l Richardson,
Luke Watson,

Barth. Coppock,
Sam^l Carpenter,
Wm. Markham, Secre.

John White & Thomas Wynn Came to this board from y^e Assembly, and proposed in their names, and as y^e Sense of y^e whole Assembly, That Six parts of Seaven of y^e Gen^l Assembly agreeing upon a Supply, That such Sanction and Establishment may be as Effectuall and binding as any Law in that Case, notwithstanding no previous bill prepared or promulgated for y^e same.

As to y^e Request of y^e Assembly for Relief of Grievances, The Answer of this board is, y^e the Gov^r and Councill will take all possible Care to prevent such for y^e future.

Adjourned to y^e Meeting house.

IN THE MEETING HOUSE, whether y^e Councill did adjourn.

After y^e Reading of y^e Bill, with their Amendments, Viz: the bill for Continuance of y^e Laws; The Bill Enabling Widdows to sell Land; The Bill for Eight per centum for years forbearance of money or goods; a Bill for Land to pay debts; a Bill about Recording of Deeds in y^e Rolls Office. These five were passed into Laws. The Other two, Viz: y^e Supply, & that about Transporting of Deer Skins, were Rejected, After w^{ch} the Assembly Dismissed, and Then

The Councill adjourned back to the Councill Roome, Where

The Petition of Luke Watson was a second time Read, Complayning against Henry Bowman, the Proprietary's Ranger, for Killing y^e said Luke Watson's Hogs, under pretence of Strays.

The Proceedings of y^e County Court of Sussex was Read, wherein Luke Watson had Indicted y^e said Henry Bowman for Killing y^e afore-said Hogs.

Luke Watson and Tho. Wynn pleaded against y^e Ranger.

The Renger being demanded to Reply to their accusation, made answer that he had had his Tryall, and had been Cleared by y^e County of what was Alliged against him here, & therefore thought himselfe not obliged to answer any more to it; Yett if y^e Gov^r and Councill thought fit to ask him any questions Relating to it, he would, if he Could, Resolve Them.

Vpon The Reading of y^e Petition of John Richardson, in y^e Behalf of his Sister Judith Roe, who had Sentence of Death passed upon her

y^e beginning of this Mo. in a Prov^l Court held in Kent County, Humbly beseeching that y^e Gov^r would be pleased to grant y^e said Judith Roe a Reprieve.

It was Ordered that a Warrant should be sent to y^e Sherrieff to Suspend her Execution till further Order.

Adjourned till further Order.

At a Meeting of y^e Deputy Gov^r & Councill In the Councill Room at Philadelphia y^e 24th of the 7th month, 1688.

PRESENT:

Councill ^{rs} .	{ Rob ^t Turner, John Symcock, John Eckley.	} Dep ^y Gov ^r .
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John Bristow,	Sam ^l Richardson,	Wm. Markham, Secre.
Barth. Coppock,	Sam ^l Carpenter,	

The Election of Prov^l Judges w^{ch} by Law were this day to Keep Court at Philadelphia, was Debated, & having Considered y^e the Broad Seal was by Custome to be affixed to the Comission, and y^e y^e time would be Relapted before the Comission Could be Sealed, and y^e Court opened, they Thought it more safe not to Comissionate any rather than to doe it after y^e time appoynted by Law for y^e Courts Sitting was past.

Adjourned till tenn to-morrow morning.

At a Meeting of the Deputy Gov^r and Councill in the Councill Room at Philadelphia The 25th of y^e 7th month, 1688.

PRESENT:

Councillors.	{ Rob ^t Turner, John Symcock, John Eckley.	} Dep ^y Gov ^r .
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John Bristow,	Sam ^l Carpenter,	Wm. Markham, Secre.
Barth. Coppock,	Sam ^l Richardson,	

Margarett fisher, Widdow, of y^e County of Sussex, Complayning that shee having appealed from y^e Judgment of y^e County Court of Sussex, where shee had Indicted one John Barker of y^e said County, for robing her and her son Thomas fisher of three head of Cattle, and that shee was Come up according to her Securiy Given, to have it reheard in y^e Prov^l Court, but y^e Court not sitting, nor y^e said Barker appearing in Philadelphia, She very much feared y^e Said Barker would, before y^e next Prov^l Court, make away with y^e said Cattle.

Ordered that y^e Secretary Send to y^e Justices of Sussex County, in behalfe of Widdow ffisher, y^t they doe her what right y^e Law will allow to Secure the Cattle or the value, till it be reheard next Provⁿ Court, in Regard there were no Court at this time.

After that John Symcock, one of y^e Com^{rs} of State, was gon, the Petition of Henry Bowman was Read, setting forth y^e hard usage of y^e County Court of Sussex against him, wherein he was Indicted for takeing one hundred & fifty peeces of Eight from one Stephen Page, under pretence of his authority as being a Justice of the Peace, and after y^e Court had given Judgm^t, they said Bowman, whereupon y^e Said Bowman Requested y^e Court to grant him an appeal to the Provⁿ Court, but the Court Refused to grant it; Therefore, humbly Requests this board to grant him an Order for an Appeal, or for a Re-hearing of y^e Cause in the same Court it was before tryed in.

The present Members takeing it into Consideration, and in regard they had not a sufficient number to make a Quorum, whereby to Draw a possitive Order thereon, Did therefore agree that their advice in this matter may be writt to y^e Justices of Sussex County, according to their Opinions, w^{ch} was y^t they ought to have granted him an Appeal, and that they Suspend the Execution of their Sentence till they hear further from this board.

Ord^d That a Coppy of the Laws past the Last Gen^l Assembly be forthwith sent to y^e Clarks of y^e Respective Counties, in Order to their publication.

Ord^d That two Comissions be drawne for Coroners, one for George White, for y^e County of Bucks, an other for Thomas ffitzwater, for the County of Philadelphia.

The Petition of Sam^l Burbury was Read, Requesting y^e Office of Sherrieff of Kent County, but y^e board thought him not Capable.

Ordered That y^e Secretary take sufficient Security of y^e Last Sherrieff, Comissionated for y^e true performance of his Office.

Adjourned till further Order.

At a Meeting of the Deputy Govern^r and Provinciall Councill in the Councill Room at Philadelphia the 18th of the Tenth Mo., 1688.

PRESENT:

Councill^{rs}.

{ Tho. Lloyd,
Rob^t Turner,
Arthur Cook,
John Eckley.

} Dep^y Gov^r.

John Bristow,
Joseph Growdon,

Sam^l Carpenter,
Griffith Jones,

Sam^l Richardson,
Wm. Markham, Secre.

The Dep^y Gov^r and Councill having Yesterday Notice of the Arrivall here of Capt. John Blackwell, with a Comission for his being Governour of this Province and Counties annexed, from the Proprietor and Gov^r, They mett this florennoon to give him y^e opportunity of

Communicating y^e Same to them, the which being don, and y^e Commission Read, it was unanimously acquiesced with.

The Gover^r having given order for y^e Council to meet this day, There met as followeth:

JOHN BLACKWELL, Esq. Gov^r.

Wm. Darrell

Sam^l Richardson

Wm. Markham, Sec^y.

Grif. Jones,

Sam^l Carpenter.

The w^{ch} number not being sufficient to prevent upon business,

The Governor Appoynted the 14th Ins^t. at 9 in y^e forenoon, for their

Meeting, and in y^e meantime, that notice be given to as many of The

Council as possible, that they be ready to meet at the same time for

MINUTES OF COUNCILL,

COMENCING DECEMBER y^e 18th 1688.

At a Council Then in y^e Council room at Philadelphia.

PRESENT:

Capt. JOHN BLACKWELL, Gover^r.

Members of Councill.	{	Rob ^t Turner,	Sam ^l Carpenter,
		John Bristow,	Grif. Jones,
		Jos. Growdon,	Sam ^l Richardson,
		Arth. Cook,	Wm. Markham, Sec ^y .

An Order from y^e Council Chamber at Whitehall was Read, bearing date y^e 10th day of June, 1688, directed to y^e Proprietor & Gover^r, willing & Requiring that Proclamation be made throughout his Govern^{mt} to appoynt dayes for Solemn thanksgiving to Almighty God, and other Publick Rejoycing, ffor his Inestimable blessing to his Maj^{ty} Kingdoms and Dominions, by y^e birth of a Prince.

It was Ordered that Proclamation be forthwith Issued out to Each County within this Govern^{mt} for y^e same, and that The day of Solemnisation for The County of Philadelphia be on y^e 26th Ins^t, and in y^e Countys of Bucks, Chester, New Castle, Kent & Sussex, vpon y^e next first day of y^e Week after y^e Publication, provided y^e said Publication be Three days before the Solemnisation.

Order'd that y^e King's Proclamation For The more Effectuall Reducing & Suppressing of Pirates and Privateers in America, bearing Date at Whitehall, y^e 20th day of January, 1687-8, be forthwith published.

Adjourned Till flurther Order.

At The Councill-room in Philadelphia The 11th of y^e 11th Mo., 1688-9.

The Gover^r having given order for y^e Councill to meet this day, There mett as followeth:

JOHN BLACKWELL, Esq^r. Gov^r.

Wm. Darvall,	Sam ^l Richardson,	Wm. Markham, Sec ^y .
Grif. Jones,	Sam ^l Carpenter,	

The w^{ch} number not being Sufficient to proceed vpon business, The Governour Appoynted the 14th Ins^t. at 9 in y^e forenoon, for their Meeting, and in y^e meantime, that notice be given to as many of The Members as possible, that there may be then a Sufficient number for a Quorum.

At a Meeting of The Councill in the Councill-room at Philadelphia, y^e 14th of y^e 11th Mo., 1688-9.

PRESENT :

JOHN BLACKWELL, Esq^r., Gover^r.

Rob ^t Turner,	Sam ^l Richardson,	Wm. Darvall,
Sam ^l Carpenter,	Grif. Jones,	Wm. Markham, Sec ^y .

The Gover^r Inquires for y^e blank Parchments, signed by y^e Chief Proprietor & Gover^r, and sent to y^e Presid^t and members of y^e Provincia^l Councill, in a Letter bearing date y^e 16th day of y^e Sixth Mo., 1684, for drawing vp an Instrument by w^{ch} to Confirme & make as valid all Pattents and Commissions that ought to be vnder y^e Great Seal, as Lands, &c.; Impowring of Thomas Lloyd Keeper of y^e Broad Seal, to putt y^e said seal to it in their presence, &c., and what has been don therevpon.

It was vpon Debate of y^e Question, resolved and Ordered That Sam^l Carpenter & Wm. Markham wayte on y^e said Thomas Lloyd, to Inquire after y^e aforesaid Blank Parchment, w^{ch} was said to have been Delivered to him, and if the same were in his Possession, to Desire he will by Them send, or if he please, bring it to this board at their next sitting, appoynted on y^e next 5th day of This week, at Tenn of y^e Clock in y^e forenoon; and if he hath it not, to Desire he will Informe them where and in whose hands y^e same is, and who last had it from him.

Vpon y^e Gover^r Reading a Copy of a Lett^r from y^e Chief Proprietor & Gover^r, bearing date y^e 6th of y^e 4th Mo., 1687, Directed to y^e 5 Commiss^{rs} of State, wherein the Chief Proprietor & Gov^r acquainted them that he had little more to say to them then he had Communicated of his mind already in a former Lett^r by Ew^d Blackfan, w^{ch} Implied the same Contained matter of Publick Instruction to y^e said Commiss^{rs}.

The Gover^r moved This board to give Their advice whether it was not necessary y^e said Lett^r sent by Blackfan, should be produced to him, he being Referred by his Commission to y^e Instructions and

Lett^r sent both to y^e Presid^t & Councill, and to y^e 5 Commissⁿ of State. It was vpon y^e Question, Resolved and ordered that y^e aforegoing minute touching the same, be given Likewise in Charge to Sam^l Carpenter & Wm. Markham, to acquaint y^e said Thomas Lloyd therewith, and to Desire if he hath that Lett^r he will be pleased to Impart it to y^e Gover^r, or if he have it not, that he will Informe in whose hands it is.

The Gover^r moves y^e Councill for their advice and Direction whether all originall Letters & Instructions Relateing to y^e Governm^t, Sent by y^e Chieff Propr^r and Gover^r, Either to y^e Commissⁿ of State, or to y^e Presid^t and Provinciaall Councill, in whose hands soever they Ly, ought not to be delivered into y^e Custody of y^e Secretary: and also, that such parts of other Letters to any of Them as Concerne matter of Instruction as aforesaid, be transcribed and Attested by y^e first Commiss^r of State therein named, or by y^e Presid^t, to y^e Prov^l Councill respectively, and Delivered to y^e Secretary, to Remaine in his Office ffor Publick Direction, y^e Secretary giving Rec^d ffor y^e same: y^e question being putt, it was Resolved in y^e affirmative, and Ordered that The Keeper of y^e seal be acquainted with the same, as aforesaid, and that his Compliance therewith is desired by The Gover^r.

Ordered That y^e Sheriffs of y^e Respective Countys within this Province & Countys annexed, be sent to to acquaint their members of Councill that one of Them Successively Monthly give their attendance vpon y^e Gover^r, according to Law and Charter.

Adjourned till y^e 17th Ins^t, 9 in y^e forenoon.

At a Councill in The Councill Roome at Philadelphia y^e 17th of y^e 11th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq., Gover^r.

Rob ^t Turner,	Grif. Jones,	Sam ^l Richardson,
Sam ^l Carpenter,	Wm. Darvall,	Wm. Markham, Sec ^y .

The Keeper of y^e broad Seal, according to y^e minutes at last sitting, brought y^e blank parchment and Layd it downe before y^e Gover^r & Councill, to be Disposed of as this board Should see meet.

As to y^e Letter sent from y^e Chief Proprietor & Gover^r by Edw^d Blackfan, directed to y^e 5 Commissioners of State,

The Keeper permitted the Govrno^r to Read some parts thereof, and promised that a transcript of y^e part, or so much of it as is Convenient for y^e Gov^r Instruction, should be this day delivered to him.

As to y^e Delivery of y^e Originall Letters or Instructions, or part of Letters that Concern publick Instruction for y^e Government, y^e Keeper Desired some time to have Conference first wth y^e Rest of y^e Commissⁿ of State, and other members of the Provinciaall Councill to whome they were respectively Directed, to have their Sense about it, and would Returne their answer as Soon as he Could.

The Petition of Martha Moon was Read, wth y^e Coppy of her Deceased husband's Will, w^{ch} was Referred to y^e Common Law.

The blank parchment a fore mentioned, left with this board by y^e Keeper, being of no present use and Conceived unsafe to Remaine in any hands as a blank, was by an Vnanimous Consent of y^e Gover^r and Provinciaall Councill, thought fitt to be Cancelled. Resolved and Ordered y^e Same to be Cancelled, and it was accordingly Cancelled in their presence, by y^e hands of y^e Keeper.

Ordered that Two days in a Week, viz: Every Second and fifth day, Shall be y^e days for y^e Sitting of y^e Councill, between nine & tenn in y^e forenoon, and that Speedy notice thereof be given by y^e Secretary to y^e severall members of y^e Provinciaall Councill, and that they be desired to give their respective Attendance on y^e Gover^r, according to y^e Constitution and Laws in that behalfe.

The Gover^r having sent a draft of Commission to y^e Keeper for authorising Justices of y^e peace & holding County Courts ffor Philadelphia, with his Warrant for passing y^e Same vnder y^e Great Seale, w^{ch} was Returned vnto Him by y^e Keeper and produced and Read in y^e Councill, together with the Keeper's answer made therevpon, w^{ch} Imported his Refusall to pass y^e Same, The Gover^r Declared he should Issue Commissions in that fforme vnder y^e Lesser Seal, and Signifie y^e Same to y^e Proprietor, as not being Satisfyed wth y^e Grounds of his refusall, and proposed y^e names of y^e persons therein named for Justices to y^e Councill, to Know if they had any ground of Exceptions against any of Them.

Adjourned till y^e second Day of y^e next week, being y^e 21 Ins^t, at 9 of y^e Clock in y^e forenoon.

At a Councill in y^e Councill Room at Philadelphia The 21th of y^e 11th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Rob ^t Turner,	Wm. Darvall,	Griff. Jones,
Sam ^l Carpenter,	Sam ^l Richardson,	Wm. Markham, Sec ^y .

The Gover^r Inquires whether y^e Secretary, according to an Order y^e Last Sitting of Councill, hath given notice to y^e severall members of y^e Provinciaall Councill that they were desired to give their Respective attendance on y^e Gover^r, according to y^e Constitution and Laws in that behalfe.

The Secretary answered that y^e Orders were all Ready written, but for want of Opportunity and a Common Stock to defray y^e Charge of a messenger, they were not yett gon out: wherevpon Wm. Darvall & Griff. Jones, members of The Provinciaall Councill, being to take a journey to y^e Southward, undertook The Care of That matter in y^e ffour Counties, Viz: New Castle, Kent, Sussex and Chester.

The Gover^r Enquireing by what Law or warrant goods Came to be transported out of This Province, &c., to any other Country's or parts,

Except to England, w^{ch} seemed to him to be prohibited by y^e King's Grant, Sam^l Carpenter moved y^e p^{at}ent might be Read, w^{ch} was accordingly don, and y^e same being not Cleare to y^e board for giving resolution in y^e Case proposed, it was suggested that y^e Laws of England allowed it, and it was y^e Common practice of all y^e Plantations.

Some Clauses were read out of y^e book Conteyning acts about Customs, &c., w^{ch} not Clearing it, the Gover^r took The book wth him for his p^{er}v^{er}sall, and that debate was referred, & adjourned to y^e next Sitting of Councill.

adjorned Till y^e next fifth day, being y^e 24th Ins^t, 9 in y^e forenoon.

At a Councill in y^e Councill Room in Philadelphia the 24th of y^e 11th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Rob ^t Turner,	Sam ^l Richardson,	Grif. Jones,
Sam ^l Carpenter,	Wm. Darvall,	Wm. Markham, Sec ^y .

The Minute of Councill y^e was Debated y^e Last Sitting, touching transportation, &c., was Reassumed, and after a full debate, it not appearing very Clear that y^e King in his Charter had given Liberty to this Province to transport y^e Merchandize that shall arrise by y^e ffuites and Commodities thereof, to any Place unless to England, it was Resolved & Requested that y^e Gover^r represent to y^e Chieff Proprietor & Gover^r y^e said Debate, in order to his Consideration.

Vpon y^e Reading of y^e Petition of Wm. Markham, Setting forth that one in Holland Drew a bill upon John Moll of New Castle County, within this Government, payable to y^e Chief Proprietor & Gover^r, and y^e said Moll was about alienateing or making over his Estate, and Leaving the Province without payment of y^e said bill, or Security given for y^e payment Thereof:

It was therefore Ordered, that y^e Attorney Gener^l Draw vp an Instrument to Stopp ffurther proceedings in that Court, and to transmitt y^e Cause, with all their proceedings therein, to y^e Governour and Provinciaall Councill, there to be heard and Determined.

Adjorned till y^e next Second day, being y^e 28th Ins^t., 9 in y^e forenoon.

In y^e Councill Room at Philadelphia The 28th of y^e 11th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Rob ^t Turner,	Sam ^l Carpenter,	Wm. Markham, Sec ^y .
Sam ^l Richardson,		

The Returne of y^e order of Councill, bearing date y^e 14th Ins^t, made by y^e Sherriff of Chester County, was this day read, giving an acco^t that he had Executed y^e same y^e 27 Ins^t.

fior want of a Sufficient Number of y^e members of Councill they Could not proceed vpon business of moment, w^{ch} occasioned their breaking vp to meet y^e next Councill day, being y^e 31st Ins^t., after Expecting y^e members above two howers.

In The Councill Roome at Philadelphia The 31st of y^e 11 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Rob^t Turner,

Sam^l Carpenter,

Wm. Markham, Sec^y.

Sam^l Richardson,

John Symcock,

There not being a Sufficient number of y^e members of Councill to proceed vpon business of moment, after about Two hours Staying they broak up. Sam^l Richardson, before they broak up, motion'd that The order of This board that was granted at their Last Sitting vpon y^e Petition of Wm. Markham, was Contrary to Law; but vpon Examination of Severall papers produced by y^e said Wm. Markham, that opinion was Removed, and y^e Order allowed to proceed.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Sam^l Carpenter,

Barth. Coppock,

Wm. Markham, Sec^y.

At a Councill in y^e Councill Roome at Philadelphia, y^e ffirst of y^e Twelveth month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Rob^t Turner,

Sam^l Carpenter,

Barth. Coppock,

Sam^l Richardson,

John Symcock,

Wm. Markham, Sec^y.

The Governo^r Inquired if the Letters & Instructions mentioned in y^e Order of This board Dated y^e 14th of 11 month, 1688-9, were brought to y^e Secretary's Office, according to y^e said Order; w^{ch} being not done, It was Resolved and Ordered that y^e Secretary wayte on y^e Keeper of y^e Great Seale to putt him in minde thereof, and to desire that he would take Care y^e same be done before his going to New York.

The Keeper haveing acquainted y^e Gover^r with his Intentions to goe to New York some time y^e next Week, the Gover^r Desired y^e advice of this board whether it be not fitt, before he goes out of this Province, that he bring y^e broad Seale to this board, there to be left to be made use off (if there shall be occasion) During his absence. It being putt to y^e Vote, it was Resolved in y^e affirmative. Butt John Symcock, a member of this board, Declareing his opinion y^e y^e Keeper ought not

to absent himself from being in a Readyness to Discharge his great Office & trust of y^e Great Seale, & moveing and desiring for his and others' Satisfaction, that a question might be putt whether y^e Keeper Should be permitted to depart out of This Province during the Time he is Keeper of y^e broad seale; It was Resolved in y^e affirmative, that he might be permitted, he leaveing y^e Seale with this board, and that y^e Secretary acquaint him with these Resolves.

John Bristow, a member of This board for y^e County of Chester, being newly Come to Towne, Came into Councill.

The Gover^r proposed to John Symcock, Jo^a Bristow & Barth. Coppock, (members of y^e Provinciaall Councill for y^e County of Chester, being all present,) that they would agree amongst themselves y^e order and Course of their future attendance in Councill, and Signifie the Same to y^e Secretary, to y^e End it might be Knowne whome to Expect on all occasions. John Symcock positively declared he would not attend that service any flurther, and left it vpon y^e other two.

A Petition was Exhibited by Thomas Woollaston Complaining y^e he was Kept out of Possession of Some Estate of his: the Consideration thereof was adjourned to y^e next meeting in Councill, Viz: on y^e Second day of the next Week, being y^e 4th Inst. Mo.

In y^e Councill Room at Philadelphia The 4th of y^e 12 month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Samⁿ Carpenter, Barth. Coppock,

Wm. Markham, Sec^y.

Samⁿ Richardson, John Bristow,

Not a Quorum at halfe an hour past Eleven, wherevpon they Departed.

At a Councill in y^e Councill Roome at Philadelphia y^e 7th of y^e 12th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Robt. Turner,

Arth. Cook,

Samⁿ Carpenter,

Samⁿ Richardson,

Barth. Coppock,

Wm. Markham, Sec^y.


The Secretary reported to this board y^e according to their Order of y^e first Ins^t, he had wayted on y^e Keeper of y^e broad Seale, & acquainted him with y^e Two Resolves then past upon y^e Gover^r being informed by y^e Keeper of his Intentions touching his going to New York, and gave him a transcript of the Same Resolves, and that thereupon y^e Keeper Replyed that he would Returne his answer y^e next Time y^e Councill satt, Desiring the Secretary to give him notice when that Should be, that he might attend them. Wherevpon the

board Ordered that notice Should be given him forthwith, of Their being mett in a full Councill.

The Keeper being Come, was desired to sitt downe by y^e Gover^r, who acquainted him that y^e Secretary having Informed the board that it was his Desire to Know of their meeting, in Order to his giving his answer to y^e Resolves touching y^e Great Seal's Disposall in his absence, & Desireing to Know what his Intentions were in that matter, he said he had prepared a Paper to have left behinde him in Case y^e Councill had not Satt before his going, &c., which paper he offered to their Consideration, haveing that opportunity for it; and y^e Gover^r desireing y^e Secretary might Read it. The Keeper Insinuating that there might be some mistakes in y^e writing of it, w^{ch} he had not had time to Correct, it was proposed by y^e Gover^r that he might have flurther time, if he pleased, to satisfy himselfe therein before it was Read; to which he answered he would Read it himselfe to y^e board, and accordingly read the same;* Wherevpon y^e Gover^r directed, if that were his answer, that he would signe it & deliver it to y^e Secretary, to be Considered in his absence, withall giving his opinion that it was in his apprehension a high Reflecting vpon and arraigning y^e board, or Some of them, & in a Libellous manner Chargeing them with unwarrantable practices in their proceedings in that matter, Yett making a Distinction, as if it had been the act of a prevailing party, w^{ch} being debated and Considered amongst themselves, it was at last agreed that he should be acquainted that if he had any thing else to give in as his answer, he had liberty, and might take his owne time to give it in. He desired that might be Entred by y^e Secretary in y^e Same book where those Resolves were w^{ch} had been sent to him, w^{ch} was Directed by y^e board to be don accordingly, and that y^e Secretary Should deliver him a Coppy of it, as he also desired, w^{ch} the Gover^r told him he would transmitt, together wth what Else had passed, in writing, between y^e Keeper and himselfe, Submitting y^e whole to y^e Proprietor's Consideration.

Vpon y^e Petion of Thomas Woolaston to y^e Gover^r & Councill, praying relief against a forceable Entry & Deteiner in y^e County of New Castle, It was Resolved that a warrant be drawne, directed to such Justice or Justices of y^e peace ffor that County Dwelling nearest to y^e place where y^e fforce is alleaged, as he should apply to and Request in that behalfe forthwith to Repaire to the house and Lands in his Petition mentioned, to View The said fforce, and finding any, to Remove the same; and if they ffound none vpon their View, to Require the Sherriff of y^e Said County to Returne a jury to Enquire thereof whether any was, and by whome made or Continued, & to fine and Imprison the offenders, & Therevpon to restore y^e quiett possession to y^e Petitioner, and to make a Returne of The same to y^e Clark of The County Court, to be Entred in the Records of The said County.

The Petition of Rob^t Turner, John Tissick, Thom. Budd, Rob^t Ewer, Sam^l Carpenter, & John Ffuller, was read, setting forth their designe

* The paper alluded to will be found on page 193, marked .

in setting up a bank ffor money, &c., Requesting Incouragement ffrom the Gover^r & Councill ffor their proceeding therein. The said Rob^t Turner & Sam^l Carpenter, two of The said Peti^{rs}, being present & constituting y^e present Councill, and besides whom there were but four more present, The Gover^r acquainted them that some things of that nature had been proposed & Dedicated to y^e propriator, by himself, some months since, out of New England, to which he believed he should receive his answer by y^e first Shipping hether out of England: Yett withall acquainted them that he did Know no reason why they might not give their personall bills to such as would take them as money to pass, as merchants vsually did bills of Exchange, but that it might be suspected that such as vsually Clipp'd or Coyn'd money, would be apt to Counterfitt their bills, vnless more than ordinary Care were taken to prevent it, which might be their Ruine, as well as y^e people's that Should Deale with them.

☞ TO THE PRESENT GOVERNO^r AND MEMBERS OF THE PROVINCIAL COUNCILL.

THOMAS LLOYD, Keeper of the broad Seal, with due Regard presenteth these following lines :

Vpon the pervsall of two Resolves passed by you in Councill y^e 1th Ins^t, & Delivered me by ord^r this morning, (being the ffourth day Since,) I am much Concerned that such an Entry, so destructive of Right, and inconsistent with property, should be ffound vpon your book. You have, as much as in you Lay, introduced an ill precedend of disposing Arbitrarily the most Eminent Estate forlife as yett declared in this Governm^t, and this was done the Cause vnheard: Whereas, no ffreeman here ought to be Condemned or Concluded to his wrong without his answer, provided he doth not wilfully absent himselfe; and ffurther, it is apparent by y^e Conclusion of your Order, that it was not Intended by y^e wording of the same, that I should be admitted to my Defence, but to be made only acquainted wth your Determination therein, and so to abide by it as an Irrevocable Sanction, I might with a great Deal of reason, vnder the generous Constitution of this Province, Sooner Expected a Confirmation of y^e Liberties of Estates ffrom you then Such a procedure, in no wise to be Countenanced.

Your Seat is a high jurisdiction, and the higher it is the more just and honourable ought its proceedings to be, and so give Examples of Justice to Inferiour Courts. Violent Courses, and hasty, precipitate Councells, will Slowly and meanly Commend y^e policy of their Authors: I wish for the ffuture, that no Sinister designe, passion, or male conduct may so Influence or hurry any of the Sincere minded of you as to act unbecoming y^e wisdom and dignity of the place. You have dealt vnkindly by me; and not only so, but you have digged Deepe, tho' vnawares, I am perswaded, to Severall of you, to lay a foundation whereby to ground a misdemeanour against me vpon a Conjectured non compliance with your Resolves, and this being a personall matter, and of great moment, you have done by y^e Lesser number, and that by Vote, being vnwarrantable by Law & Charter.

The duty of my place is to advise, and with you to Endeavour that nothing be attempted by any person or persons here, to y^e Subversion of y^e fframe of Governm^t; had you well understood & Considered the matter before you, the Tenure of y^e Custody and y^e Station of The Officer, I should not have been thus treated by you. My Request is before I make my particular answer to two or Three positions w^{ch} might Lead into this act, That you Order Either the afore-said Resolves to be Raz'd out or Cross'd, in y^e Councill book, as being such which are not to be drawne into Imitation, you disposing y^e Custody of y^e Seal without discoursing or giving Notice to y^e Keeper to appear, who hath affixed Estate therein; Otherwise, that this writing may be Entred with you as a soft, Tho' sound memoriall, against such an undue proceeding. I may say as vpon a ffrmer harsh and hardly warrantable attainder of a person vnsought and vnsent ffor, Auferat Oblivio Si potest si non ut cunque Silentiam togat. Lett such methods be covered with Silence or buryed in Oblivion. My love to y^e Gover^r, people, and their Sincerity, hath made me Serve them Chearfully Sometime. I have Endeavoured their good, tho' I might ffrayle in effecting of it. I may have witness in Some breasts, that I have more injured myselfe and ffamily then any persons just Intrest vnder my notice. I have been a great Drudge In my Sphere, but not so abused an one afore. Be pleased to be tender of Right, and lett not y^e Royall Law be forgotten, of doing vnto others as you would have (Such) others doe vnto you.

Philadelphia, The 4th Ins^t., 12 Mo., 1688-9.

In The Councill Room at Philadelphia The 11th of y^e 12 mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Arth. Cook,

John Symcock,

Wm. Markham, Secre.

Sam^l Richardson,

The Gover^r Stayed till halfe an hour past Eleven, and then no more coming, left y^e place & Directed y^t notice be given of a Councill y^e next day, at 9 in the fforenoon.

At a Councill in The Councill Roome at Philadelphia y^e 12th 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

John Symcock,

Sam^l Carpenter,

Barth. Coprock,

Arth. Cook,

Sam^l Richardson,

Wm. Markham, Sec^r.

The Gover^r acquainted y^e Councill that he had Severall things to propose w^{ch} he judged worthy Consideration, & that he had used means to have a due representative of y^e people attending there, according to y^e Charter, &c., but finding a flaylor, desired y^e advice of y^e board Concerning that matter, for Remedy ffor y^e fluture, & proposed in order thereunto, that the question might be putt whether it was not incumbent vpon y^e members of y^e Prov^l Councill Serveing for y^e Respective Countys, that one out of Each County doe Constantly attend y^e Governo^r in y^e affayrs of y^e Governm^t.

This question was debated, in y^e debate whereof most members present Exprest themselves Satisfyed that there ought to be attendance given wherein necessity required, but some desiring time to Consider & advise about it, and others that y^e flurther Consideration thereof might be deferred till y^e Coming of y^e members vpon y^e next Election, w^{ch} would be about 6 weeks hence, the season being Cold, the Gover^r adjorned to y^e next 5th day, being y^e 14th Ins^t.

At a Councill in y^e Councill Roome at Philadelphia y^e 14th of y^e 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Joⁿ Symcock,

Pet^r Alrichs,

John Cann,

Sam^l Richardson,

Jos. Growdon,

Sam^l Carpenter,

Arth^r Cook,

Barth. Coppock,

Wm. Markham, Sec^y.

The minutes of y^e Last Councill were Read over.

A paper ffrom y^e Keeper, Directed to y^e secretary, bearing date y^e 12th Ins^t., was Read at this board, it being an answer to y^e Resolves and Order of Councill Dated y^e 1^o Inst.

Ordered that y^e said paper be Entred, w^{ch} is as flolloweth, viz; Secretary Markham.

The originall Letters sent ffrom our Gover^r relating to this Governm^t, have been Diligently perused and Considered by y^e Commiss^{ns}, and wee Know of none which may be off Service ffor present Instruction, that are to be flurther Communicated. Such of Them which Containe matter of Information or Direction, have been Delivered to View and are transcribed allready; most of Them remaine in my Custody by the assent and approbation of Those to whome they were primarily Directed.

THO. LLOYD.

Philadelphia 12th 12th Mo., 1688-9.

The Govern^r acquainted y^e Councill that in as much as they were not pleased to give him their advice vpon his motion at the Last Councill's meeting, he would not trouble them flurther therein, but proposed the Councill would give him their advice whether they did not judge it flitt for him to Expect y^e attendance of y^e Respective members of Each County, as y^e Law and Charter Requires: after much debate

Vpon that proposall, Divers of y^e members havinge Express their dissatisfaction to give their advice to the Gover^r therein, Arth. Cook moved ffor that the poverty of y^e people was so great as they were not able to bear y^e Charge of Constant attendance, as the Law and Charter Required, Yett that the Gover^r be desired y^t y^e Execution of it might be suspended for y^e present, and y^e question being putt, viz^t: whether the Gover^r Should be desired to Suspend the Execution for y^e present? It passed in y^e affirmative, y^e Secretary only Dessenting.

Att a Councill in y^e Councill Room In Philadelphia y^e 18th of y^e 12th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

John Symcock,	Sam ^l Richardson,	Barth. Coppock,
Arth ^r Cook,	John Cann,	Rob ^t Turner,
Wm. Clark,	Peter Alrichs,	Wm. Markham, Sec ^y .

The Gover^r Directed the Minutes of y^e Last Councill Should be Read, w^{ch} were Read.

The Gover^r then directed that y^e Keeper's Originall papers to y^e Secretary Should be Read, vpon w^{ch} y^e Gover^r asked John Symcock & Arth^r Cook, two of y^e Commiss^{ns} of State, whether they did owne that paper as their answer; they replyed doubtfvlly, referreing to y^e paper it selfe, w^{ch} named none. Robert Turner, an Other of the said Com^{ns}, coming in, declared he Knew nothing of y^e paper, and disowned it: wherevpon y^e Gover^r Ordered his Commission to be Read for the Satisfaction of y^e board, that he was Referred to y^e Instructions Sent by y^e Proprietor & Chief Gover^r, as well to y^e Presid^t & Councill as to y^e ffive Com^{ns} of State, which were to be his guide, and Declared he thought it was necessary that he Should have either the Originalls or true Coppys thereof attested for his Guidance in y^e Governm^t, and Directed also, that y^e orders of y^e board fformerly made in that behaffe might be Read. And vpon y^e Debate, finding some persons at y^e board who where Concerned in those Instructions did not think fitt that y^e Originalls Should be Deposited with the Secretary, as was directed, The Gover^r Condescended y^t in Stead of Delivering in y^e Originalls, there might be true Coppyes transcribed & Signed, viz^t: Such as were directed to y^e Presid^t & Councill to be signed by y^e Presid^t, and such as were directed to y^e Com^{ns} of state to be signed by any Three of them that were Concerned with him in Those Commissions, and y^e same to be done for so much of other Letters (wherein Private matters are Intermixed) as Containe any publick matter of Instruction, and that y^e said Coppys so attested, be delivered in to y^e Gover^r and Councill as Soone as may be: vpon debate it was putt to y^e question and Resolved in y^e affirmative, N. C. D.

The Gover^r then acquainted y^e Councill that he ffound there was a

duty required of him by y^e acts for encouragem^t of trade & navigation, touching y^e transporting of y^e Commodities of y^e Country to England, or his Maj^{ty} other plantations, which he had at his first Entrance, vpon y^e Govern^{mt} Solemnly declared & promised to see duly Executed according to y^e tenor of y^e said acts, and desired y^e minutes of that day's proceedings might be Read; w^{ch} being read, it appeared that no notice was taken therein of his haveing so ingaged, but severall of y^e members present remembring y^t y^e Gov^r had soe Solemnly Ingaged, it was agreed y^e same should be added to y^e minutes of that day's proceedings, w^{ch} was y^e 18th* day of y^e 10 Mo., 1688.

The Gover^r also then offered that if The Councill thought fitt, he would Solemnly Sweare to doe his vtmost for y^e punctuall observing y^e said Acts, w^{ch} was not thought necessary.

The Time drawing near for y^e Annuall Election of members for y^e Prov^l Councill & Gen^l Assembly, the Gover^r desired to be informed by y^e Councill whether it were vsuall or needfull that any writts or warrants should be Issued for Summoning the ffreemen for y^e purpose, or whether they Should meet of Course: it was Resolved there was no need of writt or warrants, but their day would be observed of Course.

Wm. Clarke, a member of the Prov^l Councill for y^e County of Sussex, acquainting the Councill that inasmuch as there were two Elections to be made for that County, viz: one for y^e person that was to goe off, and another ffor one that was Elected formerly, but now in England, he Conceived it necessary that an order should be Issued for y^e Choosing one in his Roome who was absent. It was agreed an Order Should be Issued to y^e Sheriff accordingly. The Gover^r demanding who was to Issue that Order, it was answered in y^e words of y^e Law in that behalfe, The Proprietor and Gover^r was to Issue it.

Two Petitions were proposed to be Read, but it being late, y^e Gover^r adjourned till to morrow, 9 of y^e Clock in y^e forenoon.

At a Councill in y^e Councill Roome in Philadelphia y^e 19th of y^e 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Wm. Clark,

Rob^t Turner,

Arth^r Cook,

Jo^a Cann,

Sam^l Richardson,

Wm. Markham, Sec^r.

Pet. Alrichs,

John Symcock,

The Gover^r desired y^e Entrys vpon y^e Last Councill's minutes should be Read; they were Read accordingly.

The Gover^r Directed y^e Reading y^e Petitions presented at y^e rising of the last Councill, wherevpon the Petition of Adam Johnson was Read; the Petitioner was Called, who Informing y^e Councill of y^e

*Should be the 21st of the 11th Mo.

danger he was in of his life from y^e threatenings of Peter Ludgar, and that y^e same danger was Continued through y^e said parties being at Liberty, Contrary to y^e Judgment of y^e Court, The Sheriff of y^e County of Sussex, where y^e Robbery was Committed, viz: Francis Cornewell being informed to be in Towne was sent for, and demanded by y^e Gover^r by what authority he permitted y^e said Pet^r Ludgar to be at Liberty. He said he was directed only to have the person ready at y^e Court to answer, and that being don, he requested y^e Justices to Declare what Should be don with him; some of them Expressed themselves desirous to be rid of him, but gave him no Order to Keepe him under Commitment, so he thought himselfe vnder no obligation to detain him. The Gover^r ordered him to withdraw.

Vpon debate of y^e flact, and y^e Sheriff's Suffering him to be at Liberty, it was vnanimously agreed that y^e Sheriff deserved a Sharp reproof for his neglect, but it being y^e first Complaint of this nature against him, out of Their Indulgence they Thought fitt not to fine him for it, Butt ordered that the sheriff doe forthwith apprehend The Prisoner at his Owne Charge, and that he Keepe him in y^e Common Goale or Work house of y^e County where the Judgment passed, there to be held to Hard Labour, or otherwise, till y^e party agrieved be satisfied, and that he Cause him to be Corrected with so many stripes as by y^e Judgment of y^e said Court was ordered, and that he see they be well laid on. Wherewith the Sheriff was acquainted by y^e Gover^r, vpon Calling him in for y^e purpose.

The Petition of Francis and Wm. Smith was Read, w^{ch} being vnintelligibly Expressed, but in y^e Generall Complained of wrong don by y^e County Court, & Desiring Liberty to appeale, it was ord^d that y^e Goaler of y^e County of Philadelphia doe bring y^e Petitioner in Custody before this board at their next sitting, and that Charles Pickering, y^e Prosecutor, be ord^d to attend at that time, to Informe y^e board of y^e Case of the Pet^r, (who seems not able to sett forth y^e same,) to y^e End the board may give Reliefe, if the Case will admitt.

The Gover^r acquainted y^e Councill that he thought it necessary something should be speedily done about settling a Provinciaall Court, and that he found some things difficult therein by reason of y^e severall Laws passed Concerning y^e same, and therefore moved them for their advice vpon y^e said Laws, and that they should be Read, viz: y^e 157 Law, and y^e 181 Law, y^e first whereof was made during y^e Gover^r's abode in this Province, the other since his departure for England. The first referring it to y^e Proprietor and Gover^r to Commission five persons vnder y^e broad seal. The Latter directed that Court should be impowred by y^e Gover^r and Provinciaall Councill; which Latter seemed to be an inroachment upon y^e power of y^e Gover^r reserved by y^e Charter of Privileges, and being by a Law made in y^e Proprietor's absence; (Contrary to his Intrest;) and for as much as the Proprietor had by his Commission to y^e Presid^t & Councill, Limited their power as to y^e passing of Laws of y^e nature, and by his Instructions since, bearing date y^e first of y^e Twelveth month, 1686, directed that at the next Assembly Gen^l the Commissioners of state Should declare his abrogation of all that had been done since his absence, and

So of all y^e Laws but y^e fundamentalls, which was said to have been declared. It being also Considered that y^e first Law required y^e passing such Commission vnder y^e Great Seale, and in Case y^e Keeper should not think fitt to affix the same by y^e Gover^r Warrant, (on the allegations expressed in his refusall to sett the said seal to y^e Commissions for Justices of y^e peace,) The Provinciaall Judges might possibly refuse to act vpon y^e Lesser Seal, and soe y^e Country would be destitute of y^e Court for y^e administration of Justice in highest Causes, and divers other Difficultyes arriseing vpon y^e debate thereof, The Governour desired y^e members of y^e Councill would seriously Consider y^e matter, so as to be Ready to resolve him therein at y^e next proposall of y^e same to their Consideration; w^{ch} being approved, The Governo^r adjourned y^e Councill till y^e next fifth day, at the vsuall Hour of meeting, being y^e 21 Ins^t.

At a Councill in the Councill Roome in Philadelphia y^e 21 of y^e 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Arth. Cook,

Barth. Coppock,

Robt. Turner,

John Symcock,

Sam^l Richardson,

Wm. Markham, Sec^y.

Wm. Clark,

The proceedings of y^e board at last Councill was read by y^e Gover^r Direction.

The Gover^r Inquired whether y^e Sheriff of y^e County of Sussex had seized the person who had been so long at Liberty.

Arth^l Cook said y^e person had offered himselfe and promised he would Yield himselfe rather then y^e Sheriff Should suffer, but was not in Custody.

Vpon w^{ch} the Gover^r moved the Sherife might be sent ffor and flyned for his neglect of doing his duty, being acquainted how dangerous the person was, and that Adam Johnson, the person Complayning, had declared he was in fear of his life. The Gover^r also vpon what was said y^e last day of y^e Councill's Sitting, Declared he neither looked vpon himselfe nor any member of the Councill to be safe ffrom mischief whilst so great a Villiane as he was sett fforth to be had his Liberty.

It was alleged that some new Information had been Received touching y^e former tryall had against y^e prisoner, which tending to the ravelling into y^e Resolutions of y^e Last day's proceedings, when there was a fuller Councill, y^e Gover^r declared he was not satisfi^yed that it was seasonable or proper to their present Consideration, or Reasonable that he should admitt thereof till he vnderstood that he was in Custody, and that he look'd vpon the things that were offered as y^e result of Councill's taken abroad, to w^{ch} he should give no Countenance. The Secretary acquainted the Gover^r that y^e said Prisoner had delivered him a Petition, and desired to Know whether he should Read it. The Gover^r said he would Receive none till he were in

Custody, and then he would receive any, and againe declared the Sheriff ought to be ffyned for letting him have his Liberty.

The Gover^r therevpon Called ffor y^e other business appoynted ffor y^e day, but that not being ready, nor y^e persons present, he Caused y^e act of settlement to be read, in order to the minding the board of y^e Great Grace & ffavour of the Proprietor, &c. in y^e Grant of the Charter of Privileges, and how gratefully they had received the same, and how solemnly they had Ingaged to observe what was on their parts to be done, inviolably, &c., and withall observed to the board, that since then some laws had been passed in his prejudice, & Contrary to the trust he had reposed in y^e Presid^t and Councill, &c., which he should take an other ffitting occasion to offer to their Consideration.

francis and Wm. Smith being brought in Custody by the Sheriff, & Charles Pickering present, the Gover^r ordered the Prisoners Petition to be read; and all y^e y^e prisoners had to say against y^e Judgment ffor his Commitment being that he had paid Intrest for y^e money for longer time than was yett Expired, it was made apeare that what he had paid was by y^e Court deducted out of y^e principall money adjudged against him; and Charles Pickering offering on y^e behalfe of his Clyent to sett him at Liberty vpon giving him Security for paying the debt, or makeing over y^e Land ffor w^{ch} he was indebted to that purpose; he refusing to doe Either, the board remanded him back to y^e Goale: he Complayned he had no bed to lye on. The Sheriff acquainted the board he might bring in his bedds to y^e prison if he pleased, and Should have them out with him vpon his discharge. The board adjudged they saw no just Cause of Complaint.

Adjorned till y^e 2^d day of y^e next week, 9 in y^e fflorenoon, being y^e 25th Ins^t.

At a Councill in the Councill Room at Philadelphia y^e 25 of y^e 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Arth^r Cook,

Griff. Jones,

Wm. Markham,

Wm. Clark,

Sam^l Richardson,

Rob^t Turner.

Wm. Darvall,

Barth. Coppock,

The Gover^r Directed y^e Reading y^e Entrys of y^e last Councill's proceedings: they were accordingly read.

The Petition of Peter Ludagar presented to y^e board, was Proposed to be read.

The Governo^r Declared he was not satisfied to receive any till he vnderstood Ludgar was in the Sheriff's Custody, according to fformer order, Especially for that his business had been Determined at a fformer

Custody, and then he would receive any, and again declared the Sheriff ought to be fined for letting him have his liberty. The Gover. thereupon Called for y^e other business appointed for y^e day, but that not being ready, nor y^e persons present, he Caused y^e act of settlement to be read, in order to the minding the board of y^e Great Grace & favour of the Proprietor, &c. in y^e Grant of the Charter of Privileges, and how graciously they had received the same, and how solemnly they had lagaged to observe what was on their parts to be done, invisibly, &c., and withall observed to the board, that since then some laws had been passed in his prejudice, & contrary to the trust he had reposed in y^e Presid^t and Council, &c., which he should take an other fitting occasion to offer to their Consideration.

Francis and W^m. Smith being brought in Custody by the Sheriff, & Charles Pickering present, the Gover. ordered the Prisoners Petition to be read; and all y^e prisoners had to say against y^e Judgment for his Commitment being that he had paid latest for y^e money for longer time than was yett Expired, it was made appear that what he had paid was by y^e Court deducted out of y^e principally money adjudged against him; and Charles Pickering offering on y^e behalfs of his Client to set him at Liberty upon giving him Security for paying the debt, or making over y^e Land for w^{ch} he was indebted to that purpose; he refusing to doe Either, the board remanded him back to y^e Goals; he Complained he had no bed to lye on. The Sheriff acquainted the board he might bring in his bedds to y^e prison if he pleased, and should have them out with him upon his discharge. The board adjudged they saw no just Cause of Complaint. Adjourned till y^e 2^d day of y^e next week, 9 in y^e forenoon, being y^e 25th last.

At a Council in the Council Room at Philadelphia y^e 23 of y^e 13th Mo^o. 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r, Gover.

W^m. Markham, Griff. Jones, Arr^t. Cook,
Rob^t. Turner, Sam^l. Richardson, W^m. Clark,
Barth. Coppock, W^m. Darvall,

The Gover. Directed y^e Reading y^e Entries of y^e last Council's proceedings: they were accordingly read.
The Petition of Peter Ludagar presented to y^e board, was Proposed to be read.

The Gover^r Declared he was not satisfied to receive any till he understood Ludagar was in the Sheriff's Custody, &c.

Councill. Some debate was touching y^e fformer proceedings of y^e County Court, and some reflecting Expressions vpon y^e Resolve of y^e Councill in that behalfe, which (though passed nemine contradicente) were of so high a nature, by Sam^l Richardson, a member of the Councill, as y^e Gover^r took exception against as vnbecoming any member against y^e Whole, the Governo^r telling him he ought not to Suffer it, and Reproving him as haveing taken too great liberty to Carry it vnbeseeingly & very provokeingly, Particularly Instancing in y^e said Sam^l Richardson's fformer declareing at severall times, y^t he did not owne y^e Gover^r to be Gover^r, &c.; to which he peremptorily replied he did not nor would, saying to him he was not Gover^r, and he would Stand by it & make it good; that Wm. Penn could not make a Gover^r. Arthur Cook, in milder Expressions, Saying that Wm. Penn can make a Gover^r is a Scruple to me. All others declaring against that opinion. Sam^l Richardson still persisted in denying y^e Gover^r; wherevpon y^e Gover^r mooved, since he was so peremptory in repeating it, with such heat, that he might be ordered to withdraw till y^e Councill should debate it. He replied, I will not withdraw, I was not brought hether by Thee, & I will not goe out by thy order; I was sent by y^e people, and thou hast no power to putt me out. The Gover^r said he Could not sitt there to Suffer y^e Chief Gover^r's power to be so arraigned and questioned, & himselfe so Contemned, & Desired the members would severally declare themselves whether they Judged it their duty to owne him by the stile of Gover^r or not. All the rest of y^e members declared themselves offended with his words and Carriage, only Arthur Cook againe said he did believe that Gover^r Penn Cannot make a Gover^r, but a Deputy Gover^r, but desired he might Explaine himselfe, & said He so judged in his Conscience & would be understood to think & speak modestly, disapproveing & Censuring Sam^l Richardson's Carriage. Wherevpon y^e members at y^e board declared severally that they judged it meet the said Sam^l Richardson Should withdraw till they ffather further debated y^e matter, Wherevpon he went fforth, declaring he Cared not whether ever he sat there more againe, &c.

The Gover^r moved they would give their Opinion whether y^e words Spooken & Carriage of y^e said Sa. Richardson were not vnworthy & vnbecoming a member of Councill to y^e Gover^r; w^{ch} was Carryed in y^e affirmative, and that he ought to acknowledg his offence, and promise more respect and heed for y^e ffuture, before he be allowed to Sitt againe in Councill. He then moved y^e Councill would give their opinion whether he Should be Called in & acquainted therewith, which was agreed, but he was gon away.

The Sheriff of y^e County of Sussex being come, was Called in and demanded whether Peter Ludgar were in his Custody, according to y^e fformer Order; he answered he was. He was then Charged with y^e Custody of him, to be answerable for him.

The said Ludgar's Petion was then read.

It was moved y^t there might be a hearing of y^e Case, & peticularly whether y^e judgment passed against him by y^e County Court were Reversed, and vpon what grounds, by y^e Provinciaall Court. Two

Coppys of y^e Record of y^e Provⁿ Court were produced for prooffe of its being reversed, but they differed much from Each other, and in one of them 'twas alleaged to have been Reversed vpon Information of one person (only); that y^e jury that past vpon y^e tryall did not all agree, which was not Judged a Sufficient ground for reversall against matter of Record, as y^e verdict was: it was alleaged that it was also Referred back to y^e County Court for a Rehearing; that y^e County Court adhered to their fformer judgment, haveing so ffarr honoured y^e Provⁿ Court's order as to Examine all those who had been of y^e jury, who all owned they had agreed their verdict. But the Copys of the Record of the Provⁿ Court's Proceedings differing, it was moved by Arthur Cook y^e y^e originall Record & Entry should be forthwith brought before y^e Gover^r and Councill, ffor y^e Clearing that doubt.

One of The members of The Councill was desired to goe to David Lloyd, y^e Clark of y^e Provⁿ Court, who was also a Deputy or Clark to y^e Mast^r of y^e Rolls, and Clark of y^e County Court of Philadelphia, to Require him fforthwith to attend y^e Councill, and to bring with him y^e Originall Records of y^e Proceedings of y^e Provⁿ Court.

He Came to y^e Councill, and being acquainted by y^e Gover^r that there was occasion to see y^e said Originall Records, he asked in what Case: y^e Gover^r told him all that hapned since his haveing that Im-
ployment of Clark of y^e Provⁿ Court: he answered, they were not recorded otherwise then in a quire of paper. He was Required to bring them as they were. He Refused it, saying you may Command the Judges, and y^e Judges might Order him, & other Slight and Scornfull Expressions he vsed. He was therevpon ordered to withdraw.

This was adjudged a high Contempt in y^e said Da. Lloyd, and ffor that and other vnseemly and Slighting Expressions of his to y^e Gover^r and Councill, It was Resolved that y^e said David Lloyd is vnfit to be allowed for a Clark or public Officer off Record in any Court vnder this Governm^t, and that he stand Discharged therefrom till vpon acknowledgment of his offence, and giveing the Councill satisfaction, The Gover^r shall think fitt to Commission him againe: this was declared to him by y^e Gover^r.

The Sheriff of Sussex County was Called in & acquainted that y^e board saw no Cause to give any relief vpon Ludgar's Petition, and was Required to Keepe y^e said Ludgar safe prisoner, and to performe y^e order of y^e fformer Court vpon y^e judgment given against him by y^e County Court.

The Gover^r adjourned till to morrow morning.

At a Councill in The Gover^r Lodgings, held in the house of Griff. Jones, in Philadelphia, the 24th of y^e 12th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Rob^t Turner

Griff. Jones,

Samⁿ Carpenter,

Arth. Cook,

Wm. Clark,

Wm. Markham, Secre.

Wm. Darvall,

Samⁿ Richardson,

The Gov^r having notice of severall Rumours spread abroad in this town, &c., touching an Invasion made in England by y^e Prince of Orange, and Battelle fought there, w^{ch} were occasioned by y^e Report of Zach. Whitpain, who came lately from England, and arrived here in this town about midle night last, Directed that all y^e members of the Councill present in towne should be forthwith assembled, in order to y^e Examination of y^e said Zach. Whitpaine; who having given a Genall narrative thereof, The Gover^r Caused the same to be Comitted to writing, & him, the said Zach. to be deposed to the truth thereof, w^{ch} is as followeth, viz^t :

That he Came out of London the 16th or 12th of xbre last, in a Shipp Called y^e Mary, John Harris Master, but before he Came thence y^e Prince of Orange appeared with a fleet of Shippes on y^e Northern parts of England, and Coasted there about 3 or 4 days, during w^{ch} time y^e King Issued out his Order for his Army to draw that way.

That on y^e 5 of 9ber y^e Prince of Orange Landed with an army of about thirty Thousand foot and about six thousand horse, in Turbay, Transported by a fleet of 75 shippes of War, tenn fyre Shippes, 500 flyboates, 60 pinks: That the army remained about Exeter about three Weeks, in w^{ch} time y^e King remanded his army from y^e north towards Salisbury, and the King went to them there and stayed about a week, then y^e King returned to London and Ordered his army to march thither: That they had an Ingagement with the Prince of Orange's forces. Divers of y^e King's party deserted him and went over to the Prince of Orange. The fight was about Redding, where the King Lost about 2500 men, and the Prince about 1500, about y^e 13th of x ber: about y^e 17th the King Endeavouring to goe for france with Sir Edw^d Hayles, was taken at ffeversham in a fishing Shallope, who had put there to take in Ballast, y^e King disguised as S^r Edw^d Hales's man. After y^e King was taken he was Carryed to my Lord Huntinton's house, and y^e next day to Canterbury, whither y^e Examinant went from deal to have seen him, but y^e King was gon thence y^e morning Early, before y^e Examinant gott thither, the King being Conducted in his owne Coaches, and with his owne and y^e Prince of Orange's Guard to London (they being sent on purpose for y^e service,) but whether y^e King was at London or no the Examinant Could not say, but that when y^e Exam^t sayled out of the Downes, w^{ch} was y^e 23 of x ber. the King was at Rochester, under Guard. That the King before his going away from London, went to y^e Tower, and sent for his Secretarys and the Lord May^r, and there delivered up the Tower into the hands of y^e City: the City upon that appointed the Lord Dumbarton to be Leif^t thereof till further order, and y^e Hamletts to Guard it. That y^e Public affayres at the Exam^t. Coming from England, were manniged by seven Sprituall & seven Temporall Lords, and they had set forth a Proclamation for the Disbanding of the King's forces, and Disarming them, paying them for their armes. The Exam^t. further says, that he heard that y^e Castle & City of Dublin, in Ireland, was Delivered to the Protestant Party, under the Command of the Lord Enchiqueen, who seised the King's Leif^t. while he satt in Councill: And further, that he saw in a Letter from Ireland that there

had been a massacre made by the Papists upon the Protestants, and that two Thousand, or two hundred, were murdered; the figures being blotted, he Could not Justly tell which number it were.

ZECHARIAH WHITPAINE.

At a Councill in The Councill-roome at Philadelphia y^e 26 of y^e 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Wm. Clark,

Griff. Jones,

Rob^t Turner,

Arth. Cook,

Barth. Coppock,

Wm. Markham, Sec^y.

Wm. Dervall,

The Gover^r ordered y^e Entryes of y^e last day's proceedings might be read.

Being read, Arthur Cook excepted against y^e Entry of what he had Spooken about y^e Governo^rs not haveing power to make a Gover^r, and affirmed he added the words [he believed so,] w^{ch} words were allowed to be added.

Griff. Jones Declared he thought David Lloyd's miscarriage was not fully expressed, for that it was omitted to Enter y^t he was twice sent ffor; w^{ch} was allowed to be so, and that it should be amended, and that y^e said David Lloyd declared he questioned whether this board had power to Command y^e Records to be brought before them. Rob^t Turner also declared he remembered that he did question their authority. The Secretary also, that he remembred the same. Vppon w^{ch}, it was allowed those Expressions Should be added in y^e Entryes, as y^e ffarther Evidence of his Contemning their Authority.

Mr. Clark moved, on y^e behalfe of the Sheriff of Sussex County, y^t he might have assistance ffor y^e Carrying his prisoner. The Gover^r sayd it was proper ffor himselfe to Petition it if he wanted it. The order being that he Should Carry him at his owne Charge.

The Gover^r mooved that y^e Debate touching y^e settling a Prov^{nc} Court, w^{ch} he had proposed the 19 Ins^s, might be Reassumed, and told them that there seemed to him to be some difficulty therein, w^{ch} he hoped they haveing had so long Time of Consideration, were ready to resolve; And therevpon Directed y^e Entryes of y^e said day's proceedings & Debates might be read, and proposed y^t every one would Speak his minde about it, (y^e members Declareing they Judged there was an absolute necessity of it, it being informed by Wm. Clark that there were severall appeals ffrom other Courts.) It was Resolved vpon y^e Question, y^t a Commission should be Issued for y^e Authorising & Appoynting a Provinciaall Court according to Law. It passed in y^e Affirmative, Nemine Contradicente. It was then debated vpon w^{ch} Law it should be grounded, Some inclyning to have it vpon y^e 157 Law, Some vpon 181.

Vpon diligent pervseing both y^e said Laws, M^r. Clark observed that he Conceived it Could not be vpon y^e Latter Law, (though he had been before of that opinion,) ffor that by y^e Said Law it's said y^e Judges Should hold Courts at Philadelphia, y^e 24th of y^e next Seventh month, and y^e tenth of y^e Second month ffollowing, and not Yearly, but as if it were only intended ffor those two days in that year, whereas y^e 157 Law Directed y^e said Court Should Sitt twice every year, and Every ffall and Spring yearly.

And for that y^e Latter Law was in Detriment of The Proprietor's Right by his Pattent ffrom y^e King, to appoynt and Commissionate all officers, and Could not have his Consent given by those whom he In- trusted with his power, by reason of y^e limitation of y^e Power of y^e Commission; And also, that it would be an Invading his prerogative granted by y^e King & Reserved by his Charter of Privileges to y^e freemen (at least) during his life, and bring y^e Charter itselfe in question.

As also for y^t by y^e former law, w^{ch} was passed whilst y^e Proprie- tor was present in the Country, It was Enacted that there Should be five Prov^l Judges appoynted by the Gover^r, under y^e Great Seale, &c., y^e w^{ch} act is verbatim as ffolloweth:

That there shall be five Prov^l Judges appoynted by the Gover^r, vnder y^e great seale of this Province, w^{ch} Judges, or any three of them, Shall be a Prov^l Court, and Sitt twice every year, in y^e Towne of Philadelphia, and any two of them at least, shall Every ffall and Spring Yearly, go their Circutes into Every respective County of this Province & Territorys, and there hold a Provinc^l Court, which Court, whether fixed or Circular, Shall have the hearing and deter- mining of all appeals ffrom Inferiour Courts; also, all tryalls of tyttles of Lands, and all Causes, as well Criminall as Civill, both in Law and Equity, not Determinable by y^e Respective County Courts, any thing in this or any other act or Law of This Province or Territorys to y^e Contrary, in any wise notwithstanding.

It was proposed y^e members would give their Opinions whether this question Should be putt, viz: Whether they were of opinion that there should be five persons named in y^e Commission to be a Prov^l Court, ac- cording to y^e 157 Law? After some debate thereoff, Arth. Cook pro- posed that y^e Late president might be sent for to give his advice: that was not judged needfull, The Law being so plaine. Arth. Cook then Departed out of Councill, desireing his motion might be Entred as his dissent.

This question was then putt, viz: as many as are of opinion that there be ffive persons named in y^e Commission ffor Prov^l Judges, ac- cording to y^e 157 law, declare your assent by standing up: it was Carried in y^e Affirmative, Nemine Contradicente.

The Gover^r then tendred for their advice a forme of Com- mission w^{ch} he had prepared ffor that purpose, w^{ch} was Read once throughout, and afterwards in parts; Some alterations were proposed & agreed to, and y^e Question putt, viz: As many as are of opinion

that the forme of Commission now read, with y^e amendm^t & alterations made vpon y^e debate, Shall be y^e forme to be Issued ffor y^e Authorising of y^e Judges ffor y^e Prov^l Court, lett them declare themselves by Standing up: it was agreed in y^e Affirmative, Nemine Contradicente; and therevpon, Resolved that y^e same be sent to y^e Keeper of y^e broad seale, with warr^t of y^e Gover^r to putt the great seal thereto.

The Gover^r not satisfied with y^e behaviour of y^e high Sheriffe of y^e County of Sussex, proposed some other might be named by some of y^e members present, ffor as much as himselfe was wholly a stranger there.

Wherevpon Wm. Rodeney was nominated by Wm. Clark, and Recommended by Griff. Jones & Wm. Darvall, as the fittest person they Could think off ffor y^e present.

The Gover^r de-ired the members would not ffayle to Keep their next day of meeting of y^e Councill, viz: the 28th Ins^t, at nine in y^e fflorenoon, acquainting them that he thought then to allow some time of Recess ffor y^e members repaying into their severall Countys, in order to y^e takeing Care of Elections, &c.

At a Councill in y^e Councill Roome at Philadelphia y^e 28th 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r. Gover^r.

Wm. Clark,	Griff. Jones,	Arth. Cook,
Rob ^t Turner,	Barth. Coppock,	Wm. Markham, Sec ^r .
Wm. Darvall,		

The Gover^r ordered y^e Reading over y^e Entrys of y^e last Councill's Proceedings.

Vpon reading whereof he observed there was a blank leafe of y^e book of Entrys, and enquired y^e reason thereof. The Secretary answered it was left ffor y^e Entry of y^e proceedings of y^e Councill vpon y^e ffirst day of that week, being y^e day wherein y^e Tydings of affayres in England was brought by Zachary Whitpaine. The Gover^r directed They should be Entred.

The Secretary acquainted y^e board that he had Carried y^e Draught of Commission past by y^e advice of the Councill for appoynting Provinciaall Judges to y^e Keeper of the broad Seal that night, and had acquainted y^e Keeper y^t he was desired to have it ready at y^e Councill at their next Sitting: he was ord^d to goe to y^e Keeper to ffetch it to y^e Gover^r.

Vppon his Returne he acquainted the board that he had Spoken with y^e Keeper, who told him he was going forth to a Sick person. but that his answer was Conteyned in a Lett^r to him, (y^e said Secretary,) which he Intended to have sent. The Gover^r Directed y^e Superscription might be read, w^{ch} was as ffolloweth: (ffor my respected friend Secretary Markham, in Councill, These:) afterwards y^e Letter

it selfe, w^{ch} was as ffolloweth, viz: Secretary, The warr^t w^{ch} I received from thee y^e 23th Ins^l. in order to y^e passing lett^r Pattents vnd^r y^e broad seal, for Constituting of 5 Provin^l Judges, haveing duly Considered the same, I doe apprehend y^e Instrument d d^r * vnto me, to be in no wise proper for y^e said seale; and as to y^e Draught of y^e Commission it selfe, it seems to be more moulded by fliancy, then fformed by law: The Style insecure, y^e powers vnwarrantable, and y^e Duration not Consonant to y^e Continuance of y^e Laws vpon w^{ch} it Should be Grounded; ffor w^{ch} Reasons, and other manifestations, I Cannot without Violation of y^e trust reposed in me, lett the same pass vnder y^e seale in my Custody.

THO. LLOYD, Keeper.

Philadelphia, fridie Calend. 1m 1688-m', 9.

The Gover^r Excepted ag^t y^e same, as very vnbecoming any person without doors to vse such Expressions Concerning the Gover^r as that of fliancy, &c., it haveing also past in Councill; also, so flfar to question their authority as to deny to doe his duty in a Case of that Imergency. The Gover^r Desired Every member of y^e board would deliver his minde, and give him advice therein. Divers Spake to it, as judging it a Contempt of that Court's authority, and of the Prop^r Authority ffrom y^e King's Charter to y^e Gover^r; others that it was not an answer, to w^{ch} y^e secretary affirmed he gave it as his answer.

After long debate about it, and Every on^e haveing Spoaken his minde, y^e Gover^r desireing an Issue might be putt thereto, proposed this question, viz: whether the board did Judg that Letter, or any thing therein Contayned to be a Sufficient ground ffor y^e Keeper's refusall to sett The broad Seale to y^e said Commission? w^{ch} being Spoaken to, It was Resolved in y^e negative, by five of y^e seven members present, viz: all but Arth. Cook & Barth. Coppock.

Resolved that this board doth Judg y^e Keeper's letter to y^e Secretary, or any thing therein Conteyned, was not a sufficient ground ffor y^e Keeper's refusall to sett y^e broad seale to y^e Commission sent to him for y^e purpose by y^e Gover^r.

The Gover^r then proposed ffor advice by way of Expedient, and to y^e end y^e publick service and Justice might not be neglected, whether it may be ffit to Require y^e Keeper to bring y^e said Commission and broad seale to the board, & ffor y^e Gover^r to sett the same to y^e Commission, in his and their presence, and then to returne the same to him, there appearing no other way whereby y^e appeales to that Court Could be heard, and y^e whole Country would then be disappointyd and putt to great Charges.

The opinion of y^e members agreeing that it was not advisable ffor y^e Gover^r to doe what appertayned to y^e Keeper, and Arth. Cook's reason being that that were as if a man should borrow a sward of an other to Kill a man. The Gover^r told him that was uncomely to Compare the board's orders to a murtherers action: in Conclusion, it was Judged and Resolved ffit rather to lett the thing alone ffor him to answer his refusall, and that if the Keeper refuse to doe his duty,

* delivered.

it was fitt he should be Called to acco^t for it, to which only two persons Dissented, viz : Arth. Cook, & Barth. Coppock, which was y^e Issue of that debate for that time.

The Gover^r acquainted y^e board that David Lloyd, then County Clark of Philadelphia, haveing not made any submission or acknowledgment of his offence, as was ordered, there was a necessity some other person should be Commissioned, the County Court being to sitt in a few dayes, and that it was not fitt to Suffer such Contempts of authority as began too ffrequentt, through y^e Continuance of a Councill without doors, &c., And that therefore he Should grant a Commission to Some other fitt person, and desired that y^e members at y^e board would advise him who was y^e fittest person to Succeed him therein. James Claypoole was named by y^e Secretary, seconded by Griff. Jones, Rob^t Turner & Wm. Darvall, and it was said he had been some time a Clark to y^e Assembly: the Gover^r moved for their advice about y^e County Seal and Records, that they would be necessary to be in a Readyness at y^e Sitting of v^e Court, and that Therefore, what had been done formerly for The disposing y^e said seal and Records when y^e said David Lloyd was made Clark, might be Read: vpon y^e question, It was Resolved that y^e like order as had fformerly past for y^e Disposeing y^e said seale & Records, when y^e said David Lloyd was made Clark, (mutatis mutandis,) Should be in this Case sent for the Delivering the same vp to y^e secretary, of y^e said James Claypoole; Arth. Cook and Barth. Coppock only dissenting.

Vpon Rob^t Turner's motion about y^e setting out the way from the ffalls to Philadelphia, and Declaring y^e Dammage the Country received by persons Carrying their Corne to Birlinton, &c., by reason of y^e badness of y^e way to Come to Philadelphia market, occasioned by many persons Turning the vsuall Road out through their Inclosures, Contrary to a fformer order of y^e board, and that it ought to be don by the Survey^r Gene^l, or his Deputy, with y^e assistance of some of y^e justices of y^e County of Philadelphia and Bucks; It was agreed that the Survey^r Gene^l, or his deputy, attend this board, to shew Cause why y^e same was not done, and to give his opinion Concerning it, what he Conceives is fitt to be don therin.

Woollaston attending to Complaine the order of this board Concerning y^e fforceable Detaynare was not Executed; but y^e board being also Informed that y^e justices, or some of Them, were Expected here, that matter was deferred for next Councill, on y^e 2 day of y^e next week.

The Gover^r Declared that ffrom hencefforward vntill the time of y^e meeting of y^e whole number of Provin^l Councill, he should dispen^{ce} with Each other weekly day of Keeping Councill, and that y^e ordinary day of meeting Should be on the 2^d day of Each week, y^e mean while, vnless he judged there were an Extraordinary occasion requiring other days of meeting besides that.

The County Court of New Castle being by adjournment appoynted to be on y^e next day after y^e Election of members for Prov^l Councill and Assembly, and severall Causes being to be heard there, wherein

persons of other Countyes were Concerned, whose Duty it was to attend their owne County Elections, w^{ch} might Continue two or Three days, it was therefore thought meet y^t y^e said County Court of New Castle be Directed to Adjorne the Causes of Such persons for a Convenient time, not vnder two days; w^{ch} Being putt to y^e Question, it was Resolved in the affirmative, Nemine Contradicente.

At a Meeting in y^e Councill Roome in Philadelphia the first of The first month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Wm. Clark,	Griff. Jones,	Wm. Markham, Sec ^r .
Wm. Darvall,	Sam ^l Carpenter,	

The Gover^r haveing Rec^d Instructions ffrom The Chief Proprietor and Gover^r, Caused notice to be given to all y^e members in Towne to Convene in y^e Councill room at y^e tenth hour, in order to Communi- cate such parts of y^e said Instructions as were requisite.

The Gover^r Came, Stayed about Two hours, yett had not a Suffi- cient number ffor a Councill, notwithstanding The Secretary person- ally gave notice thereof to Arth. Cook and John Symcock, who told him they did not Intend to be there.

At a Meeting of The Councill in The Councill room at Philadel- phia y^e 4th of y^e first month, 1688-9.

PRESENT:

JO^r BLACKWELL, Esq^r. Gov^r.

Rob ^t Turner,	Wm. Clark,	Arthur Cook,
Griff. Jones,	Sam ^l Carpenter,	Wm. Markham, Sec ^r .
Wm. Darvall,		

The Gover^r ord^{ed} the Entrys of The last day's proceedings in Coun- cill Should be read: they were read accordingly.

The Gover^r acquainted y^e Councill that since their last meeting he had Received Instructions from y^e Chief Gover^r, dated y^e 24th of 7ber, 1688, wherein, amongst other things, he was pleased to direct that y^e murtherous woman's sentence should proceed, y^e Case being noto- rious & barbarous.

In ord^r to y^e Councill's proceeding therein, y^e Gover^r Directed y^r Secretary to turne to y^e place in his book wherein the minutes touch- ing y^e reprieve granted was Entred, to y^e End they might know whence it arose.

It appeared to be granted vpon the Petition of John Richardson, brother to y^e murtherer, w^{ch} Petition was Read. It appeared also that a sentence of Death had passed vpon her in a Provinc^l Court held in

y^e County of Kent, where y^e ffact was Committed, and that the s^d Provⁿ Court was Duly Authorised by y^e Then Presid^t and Councill, by Commission vnd^r the Lesser seale, dated y^e 2^d of y^e 2^d month, 1687.

Vppon Consideration of The Petition, &c., It was ordered by the Presid^t & Councill y^e 19th of y^e 3^d Mo., 1688, that y^e Sheriff Should suspend y^e Execution till ffurther order vpon the whole matter : it was ordered by y^e Gover^r and Councill, The secretary only Dessenting, that y^e said order of Suspention be of no ffurther fforce, and y^e y^e Sheriff of y^e said County of Kent doe Cause Execution to be done according to y^e tenor of y^e Judgment past by y^e Provinciaall Court, and that y^e day ffor doing thereof be on y^e ffifteenth day of This present ffirst month, commonly Called March, and that M^r. Clark be desired to take Care that y^e ord^r ffor Execution be delivered to y^e Sheriff ffor y^t purpose.

The Secretary read a letter ffrom John White, Clark of y^e County Court of New Castle, wth y^e Coppy of a paper sent by him ffrom Edw^d Blake, Joⁿ ffioralt, and Charles Rumsey, Justices of y^e peace of y^e said County, Certifieing some proceedings by them had vpon a fformer order of y^e Gover^r & Councill, about Viewing and removing y^e fforceable Entry and Deteiner made on the house and land of Tho. Woollaston, in y^e said County, y^e possession whereof had been formerly given to y^e said Woollaston, persuant to a Decretall order of y^e Provinⁿ Judges, by y^e Sheriff of y^e said County, and since againe taken ffrom him, as by his Petition to the Gover^r and Councill and their said order, referrence being therevnto had may appeare.

The said paper being read, it appeared that in Stead of Executing y^e said order, the Jury was by y^e Justices affirmed to have given in ffor their virdict that Wee Jurers of Enquirie doe ffinde that there was a fforceable Entry Committed by Edw^d Gibbs, high Sheriff of New Castle, and Richard Reynolds, his Deputy, vpon the house of John Gramton, about y^e Latter End of y^e Last Eight month, Called October, 1688.

HUGH MARSHLAND, fforeman.

This was judged by y^e board to be a great affront and Contempt of their authority ; but what remedy might be given did not occurre to y^e board, it being properly remidable by y^e Provⁿ Court, w^{ch} the Keeper had refused to authorise vnder y^e great seale, as he had been ordered to doe.

Many things were Spoaken by way of Grievance that y^e Gove^r and Councill should be so obstructed in their remedying such Complaynts and y^e ffurther debate of y^e matter taken vp.

Some declaring y^e Keeper's refusall was a misbehavior in his office, and tending very much to y^e hurt & Damage of y^e people of y^e Province; y^t it was dishonourable to y^e Government, and gives occasion to others to slight Governm^t and authority. That they thought it was to no purpose ffor them to give their attendance in Councill if they Should be by such means hindred of doing Justice to y^e people, and that they were weary of such attendances vpon such obstructions, &c.

Wm. Clark moved y^e Keeper might be spoken with, to see if he would give any other answer, w^{ch} was Seconded & Thirded.

The Gover^r named Wm. Clark, The Secretary, & Sam^l Carpenter, to attend y^e Keeper to see if any Expedient can be found for preventing flurther heats arriseing vpon such occasions, who were to report their proceedings to y^e Gover^r and Council to morrow morning, by seven of the Clock, all y^e members of Council now present promising to meet at that Time to Receive the same.

adjorned accordingly.

At a Council in the Council Roome at Philadelphia, y^e 5th day of the 1st month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Wm. Clark,	Sam ^l Carpenter,	Rob ^t Turner,
Wm. Darvall,	Griff. Jones,	Wm. Markham, Secre.

The Gover^r ordered y^e Secret^r to read y^e Entrye of last Council's proceedings. They were read.

The Gover^r took Exceptions at y^e Entering y^e Secretary's dissent in y^e body of y^e order touching y^e Execution of the Murtherer, w^{ch} was struck out with a pen, & the Secret^r allowed to enter his dissent thereto in the Entry of this day's proceeding, if he thought it needfull.

The Gover^r also tooke Exceptions to the brief Entry of M^r. White's Letter, & y^e Justices returne from New Castle, & by directions of y^e board they were ordered to be entred verbatim, at large, which were as followeth:

To the Honb^{le} the Gov^r and Provincia^ll Council of y^e Province of Pensilvania & Territories, Gent.

I Received a certain Paper from Edward Blake, John fforat & Charles Rumsey, Justices for the County of New Castle, w^{ch} I was commanded to Record, and to send a Coppy thereof to the Gover^r & Council. In obedience to their commands, I have here inclosed a true Coppy of the originall, w^{ch} is all I have in charge at t^{his} time.

from, Gent., your humble servant,

JOHN WHITE.

NEW-CASTLE, vltimo, february 1688-9.

The Gover^r Directed that the Committee Ordered yesterday to attend the Presid^t, to see if there were anything could be done by way of Expedient for preventing further strifes & heats, would Report the issue of their proceeding therein with him.

Wm. Clark Reported, That pursuant to the said Order, they went to y^e Keeper & let him to understand that it was the Order of the Gover^r & Council that they should go to him to ask if he would give

any further answer to y^e Refusall of puting the broad Seale to the Commission for Provinciaall Judges; to which the Keeper answered, That he thought that w^{ch} he had given in answer in writing was sufficient; And that if y^e Gover^r & Councill did not look upon it to be so, if they did not approve of it, if they pleased to signify their mindes in writing wherein it was insufficient, he would give his answer to them againe in writing. This was agreed by the Committee sent to be the substance of the Keeper's answer in words, as near as they could remember.

The Gover^r declared he did not think it was their work to dialogize wth any man without dores, and desired the severall members of Councill would give their opinions upon it, whether The Keeper's dealing with the board herin in that matter did not argue contempt of their authority.

Griffith Jones was troubled that the Gover^r and whole Province should be so wholly obstructed from doing Justice: That y^e Keeper by these dealings is the Ruler, & not the Gover^r & Councill: That he would have been glad the Keeper had complied with that which tended to the doing Justice in the Countrey, But that by this he perceives if the Keeper lay his hand & say Thus farr you shall go & no further, to the obstructing all Justice, we must sitt still, &c. This is the way to Create animosities & making parties; this ought not to be suffered; It is not well, &c.: That he judged the Keeper is answerable to the Gover^r & Countrey for this misdemeanor, and offered to be one of them that should charge him to make answer for it; and said, if the Keeper be thus suffered, 'tis to no purpose for us to spend our time in sitting & giving Councill here, &c.

Wm. Clark. Some things were difficult to us in the former debates concerning the Commission, Viz: I was doubtfull upon which Law the Commission should be grounded: much was to be said on both sides. He could be willing there might be a right understanding that we might not be put to y^e Extremity & severity.

The Gover^r minded him of the issue the former debates had brought that matter to already: That it was fully agreed That the later law was fulfilled; that it did infringe the Gover^r's Authority; (w^{ch} he had reserved out of their power by his Commission to them;) That therefore it fell of it selfe. That the former Law was cleare, viz: directing the Court to be settled yearly. That the Gover^r had in his Charter Reserved the sole power of nominating & Comissioning officers to himselfe during his life, and appeal'd to M^r. Clark, &c., whether all those things had not been largely debated & resolved.

Wm. Clark Owned that the latter Law did infringe upon the Gover^r's Prerogatives; He acknowledged what the Gover^r said, & said I see there is a necessity to make use of the authority of this board.

Griff: Jones. It is the King's authority that is opposed, & lookes to me as if it were a raising a force to Rebell.

Robert Turner said he never saw such shuffling in matters of moment in his dayes: as to hearing the Keeper farther, if he had any thing that scrupled him in matter of Law, he should have answer'd those things upon the application of the Committee to him, And he

should have given his advice to them. But It appeares we have two Goverⁿ & two Councils: One within and another Without. Our words & doings are carryed abroad, & come to be debated by some (among ourselves) with another Gover^r, & thereby the mindes of some persons are altered from what they have declared & moved here, (before they were influenced by those Councils,) so that we cannot proceed, which is neither for the quiet of the people nor honour of the Governor.

Severall members moved the Question might be put upon the whole, which was thus proposed by the Gover^r, Viz:

Whether upon the debate of the Keeper's answer & other passages of Contempt offering themselves upon this debate, they did not judge the Keeper to have highly misdemeaned himselfe in his office of Keeper of the broad Seale, in refusing to perfect the Commission sent him for Provinciaall Judges, under the broad seale, (It was Resolved in the affirmative, Sam^l Carpenter only dissenting,) Viz: that they did Judge he had highly misdemeaned himselfe in his said office thereby, &c.

After passing this vote Arth. Cook came into the Council.

A paper was delivered in to the Gover^r & Council by Ja. Claypoole, appoynted Clerk of the County of Philadelphia, informing the Board, That David Lloyd refused to deliver up the books, &c. of y^e said County Court, w^{ch} y^e Gover^r & Council had ordered, Expressing that Tho. Lloyd had ordered him not to deliver the same. The tenor of which is as followeth, Viz:

To the Hon^{ble} John Blackwell, Esq^r., Gover^r., &c., & Council.

Wheras, by a precept from the Gover^r & Council, I was comand- ed to Receive of David Lloyd the Records, papers & Seal relating to the Clark's office, and belonging to the Court of the County of Philadelphia, in obedience whereunto, upon y^e Reception thereof, I informed the said David Lloyd, & delivered it to him, who promised from time to time to deliver up the same into my hands, and this morning denyed to perform his promise, but gave me in answer that Thomas Lloyd had ordered the contrary, without whose leave he would deliver up nothing.

JA: CLAYPOOLE.

PHILADELPHIA, 5th 1st Mo., 1688-9.

The said Da. Lloyd was sent for to come to y^e Gover^r & Council, then sitting. Being come, The Gover^r demanded of him if he had read the Order of that board for delivering up the papers, Records, Seale, &c. belonging to the County Court, in his Custody, to James Claypoole, appoynted to succcede him in that imployment.

He answered, yes, he had received a Coppy of such an order.

The Gov^r asked him by whom y^t s^d order was signed.

He answerd he did not remember.

The Gover^r asked if it had not a seale set to it.

He answerd yes.

The Gover^r asked if his (viz: the Goverⁿ) hand was not sett to it.

He answered yes.

The Gover^r asked whether he had delivered the same accordingly. He answered no.

And then produced a paper Commission, under the hand & private seale of Thomas Lloyd, dated the 1st of y^e 1st Mo., 1689, of the tenor following, which the Gover^r ordered to be read:

PHILADELPHIA,



By authority of Letters Pattent, under the Broad seal of this Province, Granted unto me by The Proprietarie & Gover^r, I doe hereby Constitute & appoint thee my Deputy in the office of the Rolls & Publique Records for the County of Philadelphia, & for the Entring of all Judgments of Courts, publique Proceedings of Justice, Legal Cases & of all other Instruments w^{ch} are by Law to be inrolled & Recorded, & to take such Fees therefore as are Provided: And for y^e Better Enabling thee to Discharge the said Place, I doe Jure Officy as Keeper & M^r. of the Rolls, nominate thee Clarke of the Peace, & also Clerke to the Justices For y^e said County, & to act therein according to Law & uncontrolled usage. Given at Philadelphia, the first day of the 1st mo., A. D. 1689.

THO: LLOYD, Keeper, & Mr. of the Rolls.

To my Trusty Friend, David Lloyd:

The Gover^r demanded whether he would observe the order of the Board.

He answered He would deliver up what was in his Custody either to the Secretary or to the said Ja: Claypoole that day.

The Gover^r ordered him to withdraw; and desired the board would give their opinion touching his answer.

The Board Resolved that they were satisfyed in his answer, That he would deliver them up according to their former order.

The Gover^r then againe Ordered y^e said Commission under the hand & seale of the Keeper should be read, Which was read accordingly.

The Gover^r desired their advice & opinion whether that act of his were not a high presumption & usurpation upon the Goverⁿ authority, Declaring he did not doubt but that he might make a Deputy as Master of the Roles, for doing what appertayned to that office; but to make a Clerk of the peace to y^e Justices, & Clerk to y^e County Court, he Excepted against as having no President, The Disposing of all offices being by the Chiefe Gover^r reserved to himselfe for his life.

This was some time debated, with great trouble that the Keeper should so misdeemean himselfe, divers attesting they had not knowne such a thing done before; After which this Question was put:

As many as are of opinion that this Commission produced by D. Lloyd, signed by Tho. Lloyd, & sealed with his owne private seale, (as farr as appeared to them,) dated y^e 1st of y^e 1st mo., 1689, naming & Commissioning David Lloyd to be Clerk to the Justices & County Court, as therein is Exprest, is a high usurpation upon the Goverⁿ authority, declare yourselves in the affirmative by rising up from your seates. All the members present (Except Arth. Cook & Sam^l Carpenter) arose upon the affirmative. M^r. Carpenter declaring he did not understand it, yet said he did not justify Tho. Lloyd.

The Gover^r proposed to the board to give him their advice concerning the disposall of the said Commission, or returning to D. Lloyd.

The Question being put, viz :

As many as are of opinion That this Commission remayne with the Secretary, to be used as the Gover^r & Councill shall think fitt, Declare yourselves in the affirmative by rising up from your seates. All the members present arose: (Except the said Arth. Cook & Sam^l Carpenter.)

Adjorned till 4 of the Clock in the afternoone.

AFTERNOONE OF THE SAME DAY.

The same persons present.

The Reason of the adjournment being to be informed whether David Lloyd should that day deliver up the Records, papers, & Seale of the County Court, according as he had promised, It was Reported that he made no scruple to do it, & had done it in part; Whereupon the Govern^r adjourned till the next second day of y^e weeke, Viz: to y^e 11th of y^e 1st month, according to former order.

At a Council held at New Castle (one of y^e Countyes annexed to y^e Province of Pensilvania) the 13 and 14th days of y^e first month, commonly called March, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Peter Alrichs,	John Symcock,	Rob ^t Turner,
John Cann,	John Bristow,	Griff. Jones,
John Dehayes,	Barth. Coppock,	Wm. Markham, Secre.

The Gover^r acquainted the Council that he was come thither on purpose to indeavor a settleing of those differences that had been occasioned in y^e County by the proceedings had in the case betweene John Grantham & Thomas Wollaston; which had already caused a great deale of trouble to that board sitting at Philadelphia, And as previous and in order to their better proceeding therin, The Gover^r Enquired whether the order past in the Provinciall Council for restoring Wollaston to his possession had been observed by the Justices, M^r. Cann answered it had, & was Recorded.

The Gover^r Ordered it should be read. It was read accordingly.

Wollaston was callen in and demanded whether he had possession delivered to him according to y^e Council's order. He owned he had the possession delivered to him, And sayd he did not question but he had the possession still, and moved That Consideration might be had of the Charges he had been at, &c.

The Question was putt whether the Returne made by the Justices

was sufficient, which was carryed in the affirmative, Nemine contradicete.

The Gover^r being informed That Grantham's Wife was attending with a Petition, she was called in & delivered her petition, w^{ch} was as followeth, Viz':

To the Honb^{le} John Blackwell, Esq^r., Gover^r, & Councill of the Province of Pensilvania and Countys annexed, in America.

The humble Petition of John Grantum sheweth:

Wheras, your Petitioner for near three years past hath been excluded and kept out of his Just right and priveledges, by the force of certain decrees and Orders surreptitiously obtained by Thomas Wollaston, and forcibly executed on your said Petitioner, his land and Plantation, contrary to the fundamentall laws of this Government, all which your Petitioner is grievously oppressed in, almost to the impoverishment of himselfe & family, therefore earnestly intreats your honours will be pleased to have a rehearing of the matter, that Justice may flow in its due channell, whereby the oppression your Petitioner lyeth under will not only be removed, but your Petitioner restored to his former absolute right and estate; and your Petitioner as in duty bound, shall ever pray, &c.

In behalfe of my husband,

ELLENAR GRINTTEN.

Which being read in the hearing of Wollaston, the Gover^r asked him whether he had any thing to say against what was desired by the Petitioner.

Wollaston tenderd a Copy of the proceedings by the Provinciaill Judges, signed Da: Lloyd, & Cur. pr. dict.

Granthum also produced the Copy of the proceedings by the County Court, in which the Judgment was first given, signed John Whitte, Clark.

Both w^{ch} containyng the whole matter of fact, with an account of the proceedings had therupon.

The Secretary produced the following addresse and desire of the freemen of the Province & Terrytorys in Assembly mett, That the Gover^r & Prov^l Councill would be pleased to Command That the Decree and actions in that case, with all y^e Causes & matters thereupon depending, might be heard before them, as the supreame Judges of this Governm^t which is as followeth:

The freemen of the Province and Terrytorys in Assembly mett, being duly informed of a certain decree past by Arth. Cook and John Symcock, Provinciaill Judges, at their Sessions held at Philadelphia on y^e tenth day of the second month, 1688, betweene Thomas Wollaston and John Grantum, w^{ch} appear to this Assembly to be not only very severe, but the cause alsoe seems usherd in the said Provinciaill Court, contrary to any known law, or without consent of one of the Partys, and the sayd John Grantum complaining of great wrong & Injustice Sustained, the freemen in Assembly mett, in behalf of themselves and all the freemen of this Province and Terrytorys, doe humbly desire that the Gover^r and Provinciaill Councill would be pleased to comand the said Decree and action, with all the causes

and matters thereupon depending, may be heard before them as the supreme Judges of this Governm^t, whereby right may be done, to the honour of God, the peace and prosperity of this Province & Territories.

JOHN WHITE, Speaker.

Which being read and particularly considered by the board, Each of y^e parties concerned being admitted to cleare matters as they could, & declaring themselves on both parts willing y^t the Gover^r & Councill should put an end to the differences between them; The Justices also of that County, & John Symcock, one of the Provinciaall Judges, (then present,) desiring the same.

It appeared to the Board that the said Tho. Wollaston acknowledged a judgement in the County Court for the sum of 26lb. 15sh. good & lawfull money, justly due & owing by him upon a bond to y^e said John Grantum, wth Cost of suit, to be payd in current money, or wheat at money price current.

That the County Court Ordered Judgement to be enterd therupon, and granted Execution accordingly; That the Sheriffe, pursuant therunto, seized the uppermost halfe of the said Wollaston's lands, & had them appraysed & delivered upon sale by an Out crye, to y^e said Grinham, for 30lb. & 10sh. & gave him possession therof; That neither y^e said money, nor wheat in lieu therof, was payd.

That what the Provinciaall Judges did decree & order in this matter was not done virtute officij, but as reserves upon bonds enterd into by both parties.

And that the non payment of the debt, with Costs, was y^e occasion of all that great expence that y^e said Gramton had been put unto, w^{ch} arose through the said Wollaston default, and many other things being controverted between them, wherein they could not agree, they were caused to withdraw; and upon the Question put, It was Resolved & agreed, (nemine contradicente,) Viz:

1st. That the debt due to Grimtham was not satisfied by the sayd Wollaston before the Sheriff's sale of the Land to Grantham.

2. That there was no just ground of Exceptions to be taken against y^e proceedings of the County Court in their judgement.

3. That the Order made by the Provinciaall Judges for giving or restoring possession of y^e Land to Wollaston, was not intended to be Executed till the debt & damages were satisfied; which y^e said John Symcock declared upon this hearing.

Wherupon, both parties being called in, & indeavours used with both of them to agree the matter between themselves, & some proposals made for that purpose, Wollaston declared he had better be without the land than pay 30lb. 10sh. for it, and that he could not pay, or give security to Grantham to pay the money to his satisfaction.

On y^e other hand, Grantham refusing to take the negro for his money, (w^{ch} was the cause of the debt,) & refusing to Grant longer time & complayning of their being undone by the vast Expences Wollaston had put them to, (which occurred to the Gover^r & Councill to be the sayd Wollaston's faylor,) and that the said Wollaston had Recd severall years use & benefit of the Negro; wheras, Gramton was out of his money all that while.

It was upon the whole matter, Resolved, Ordered & adjudged,

That Gramton be confirmed in y^e sale of y^e Lands made to him by the Sheriffe, as aforesayd, at y^e rate of 30lb. 10sh., and that he be also allowed the sum of 10lb., at which a certaine parcell of corne growing on the sayd Land, & taken off by Grantham Whilest he had possession, had been valued, and that this should be in full of all demands of him, the sayd Grantham, from him, the sayd Wollaston, both debt, damages & Charges:

And that the Sheriffe of the sayd County of New Castle, (at the request of the sayd Grantham,) should be required to restore & give unto him, the said Gramton, the quiet & peaceable possession of the sayd Lands, to hold to him, y^e sayd Gramton, his heys & assigns for ever; Any thing in any former order of this board conteyned to y^e Contrary notwithstanding:

That this be the finall conclusion & judgement of this board in that case; And that this Order shall be to the sayd Sheriffe a sufficient warrant in that behalfe.

John White, Clerk of the sayd County of New Castle, being complained of by some of the Justices of the sayd County as one who had greatly misbehaved himselfe in his carriage towards the Justices, and so provoked them as that divers of them were discouraged in their serving the Governm^t in that Station, & for that cause had resolved against acting therein; and having likewise recorded a returne made by three of them to y^e Gover^r and Councill, which he acknowledged he knew to be fundamentally erronious for want of a date, and boasted that he knew it to be so before he enterd it, & y^e he did not acquaint the Justices thereof, & yet did it with intent that he might be even with them for finding fault with a defective transcript he had made, intimating (as appeared by attestation of James Claypoole) that all advantages against an enemy were sayre, which in effect he acknowledged, saying he would not Lye, he had not acted as a Christian therein, but rather blamed others for taking offence therat than himselfe for giving it.

The Question being put, it was resolved:

That that carriage of his in recording the sayd Returne with that intent declared by him, was a misdemeanor in his office, & argued him unfitt to be trusted with the Custody of Records any longer.

He being called in, was acquainted therewith & his Commission declared voyd.

Consideration being had of the Erroniousnesse of the sayd Returne so entred, It was Resolved:

That y^e sayd Record, so entred by him, should be cancelled in the County book, & was accordingly cancelled at the board, in presence of y^e Justices.

Resolved that the Entry of the same erronious returne made in the book of the Provinc^l Councill's orders & proceedings, should also be cancelled, & was accordingly cancelled at y^e board, by the Secre.

The Gover^r produced a Letter delivered to his servant by Tho. Lloyd, the 8th of March, 1688-9, directed for GOVERNOR BLACKWELL, signed Tho. Lloyd, Arthur Cook, for Joⁿ Simcocks, dated

The Gover^r Directed y^e Sec^y to read y^e Entry of The proceedings
of y^e Councill at New Castle.

The said proceedings being read, Barth. Coppock remembred y^t it had been affirmed that y^e Justices of Chester had Subscribed y^e ingagement of ffeidgility to y^e Proprietor, required by Law, w^{ch} was also remembred by John Bristow, Rob^t Turner & Griff. Jones; and y^e said subscription being produced, dated y^e 5th day of y^e ffirst month, (w^{ch} was y^e ffirst day of y^e County Court's Sitting,) y^e same was ordered to be amended accordingly, &c.

Thomas Lloyd Came into y^e Councill Roome, and y^e Gover^r asking him if he had any thing to say to the board, He answered that he was Come to present himselfe as y^e Law required, wthin twenty days after Election.

The Gover^r told him he knew nothing of it: There was no returne made thereof by y^e Sherifff.

Tho. Lloyd replied there was no need of his returne, as y^e Gover^r would ffinde if he look'd into y^e Charter, &c.

The Gover^r told him he Could take no notice of any Election till due returne be made, and therefore if he had nothing Else to offer to y^e board, desired him not to Interrupt their proceedings; they were Entred vpon a matter of another Consideration. Thomas Lloyd said, He vnderstood some thing had been moved about y^e adding y^e Welsh towns or tracts to the County of Chester, and if any Such thing were proposed desired they might be heard.

The Gover^r told him no such thing was yet brought before Them; But that if any such thing were wherein it should be found requisite to hear them, they Should have notice thereof.

adjorned till 3 in y^e afternoon.

POST MERIDIAN.

Present as in y^e fflorennoon.

The Secretary produced a Petition ffrom severall Justices and Inhabitants of y^e County of Chester, directed to y^e Gover^r and Councill. The Gover^r asked by whome Subscribed: 'twas answered by none. He replied He should not receive it without a Subscription: it was delivered to y^e persons who attended about it. They Subscribed it.

The Gover^r then directed it to be read: it was read; y^e Copy Thereoff ffolloweth. (viz:)

To JOHN BLACKWELL, Esq^r., Gover^r, and the Provinc^l Councill of Pennsylvania, &c.

The Humble Petition of y^e Justices of Chester County, in the behalfe of themselves and Inhabitants of y^e said County, Sheweth:

That whereas, y^e said County is but of a Small tract of Land, not above 9 miles Square, & but Thinly seated, whereby y^e said County is not able to Support the Charge thereof; Vppon our humble Request to The Proprietor & Gover^r, and his Serious Consideration of our weak Condition, was pleased out of Compassion to vs, to grant an Enlargement of y^e same, in manner ffollowing, viz: to runn vp ffrom Delaware River, along darby mill Cteck, y^e severall Courses thereof, vntill they took in Radnor and Herford Townships; Then downe to y^e Skoolkill; Then vpwards along the severall Courses thereof, without Eimmitt.

Therefore, wee humbly pray you will be pleased to Confirm^e y^e said bounds, whereby the County of Chester may be in some measure able to defray their necessary Charge, and wee Shall, as in duty bound, &c.

It was signed by Joⁿ Blunston, Tho. Brassie, Rand^l Vernon, Caleb Peusey, Tho. Vsher.

The Gover^r Demanded of y^e Petitioners how they would make out their alligations.

They began to relate some passages w^{ch} had passed ffrom y^e Proprietor about settling the bounds of y^e County of Chester.

The Gover^r Directed them to withdraw, and putt what they had to say and Could depose into writeing: they went fforth and brought in their severall attestations ffollowing, w^{ch} were read, viz:

I, John Blunstone, as in relation to y^e Devision of Chester County ffrom Philadelphia, doe thus testifie, that a ffew days before Gover^r Penn left this Province, that vpon y^e bank, by John Simcock's house, I moved him to Deside this matter that had been so long Discoursed, who then, before me and Others, did Declare that y^e bounds Should thus runn ffrom the mouth of Bow Creek to Mill Creek, w^{ch} should be y^e bounds untill it come to y^e Land of Herford, and then to take in the Townds of Herford & Rudnor; from thence to the Skoolkill, and take in his mannour of Springtowne, by w^{ch} o^{ur} Pattents Holds: then I asked him if he would be pleased to give it vnder his hand, to avoyde ffurther Trouble, who answered he would, if any of vs would Come the next day to Philadelphia in order therevnto: one was sent, but what then obstructed I am not certaine, but y^e y^e Gover^r Departed about two days after: was signed

JOHN BLUNSTON.

Randall Vernon sayeth, that some time since Wm. Howell of Harford, Signified vnto me, and gave it vnder his owne hand, y^e some time after they there Settled that he asked y^e Gover^r to what County they Should be joyned or belong vnto, & The Gover^r was pleased to answer him that they must belong to Chester County: was signed R., the mark of Rand^l Vernon.

Our Proprietor and Gover^r being pleased to grant to me a Commission to be Sheriff of The County of Chester, was pleased some time after to Express himselfe to me to this purpose: Thomas, I perceive that the Skoolkill Creek Comes or runs so vpon the back of Philadelphia, that it makes y^e City almost an Island, so that a Robbery or the like may be there Committed and y^e offender gitt over y^e Creek and so Escape for want of due persute, &c., therefore, I intend that y^e bounds of Philadelphia County Shall Come about 3 or ffour mi^es on this side of the Skoolkill, and I would not have thee to take notice or to oppose that Sheriff in y^e Execution of his office, about Kingses, or the like, but I intend to Enlarge this County downewards to Brandywine: ascertained by me,

THOMAS VSHER.

Some of the members of the Prov^l Councill asserted the Substance thereof, and that y^e same was agreeable with the mapp of the Province.

The Survey^r Gene^l Deputy was sent for, who showed the bounds of the County ffrom the mapp, and being asked by y^e Gover^r by what

order it was sett out, answered it was so ordered by y^e Gover^r & Provinciall Councill, as would appear by y^e Coppy of y^e minutes of their proceedings, w^{ch} he produced.

The Gover^r Directed that the minutes themselves might be serched, & Comparing the same Coppy with the Entry, ffound them agree in Substance.

'Twas observed by y^e Gover^r and Councill that y^e mapp of The Province was the work of Thomas Holme, Survey^r Gene^l; that it was dedicated to y^e Proprietor by y^e Publisher; that many Coppys had been published in England and here in this Province, by w^{ch} y^e same was made notorious to all men's observations & Knowledg, w^{thout} Controll or Question, and that 'twas likely many Conveyances of Lands might have been passed, Expressing the Situations to lye in the Respective Countys; as they were therein Expressed, and that to Disallow thereof, for y^e Boundary's might be of ill Consequence on that acco^t. 'Twas asserted that the Welsh Inhabitants had Denied themselves to be any part of The County of Philadelphia, by refusing to bear any share of Charges, or serve in office or Jurys, and the like, as to y^e County of Chester.

That the pretence thereof was they were a distinct Barrony, w^{ch} tho' they might be, yet that severall Barrons might be in one and y^e same County.

The Gover^r and most of The present members of Councill Declaring themselves satisfied Concerning their being a part of Chester County vpon y^e grounds alliged and proved as aforesaid, Yet,

ffor as much as Thomas Lloyd had desired they might be heard before it were determined, Sam^l Carpenter was desired to acquaint him that if he, the said Thomas Lloyd, should think fitt so ffarr to Concerne himselfe therein as to appear in their behalfe, or any other, to shew cause why they should not be Declared to be of the County of Chester, (as the Proprietor had promised,) they might have liberty so to do before the Gover^r and Councill to morrow, between 9 & 10 in the forenoon, otherwise the Evidence seemed so full as that they should proceed to Declare their judgment therein.

James Claypoole, Clark of The County Court of Philadelphia, by an address to y^e Gover^r & Councill, Complayned that David Lloyd refused to Deliver vp the Records and proceedings of the County Court in the time of his being County Clark, and some of the justices also informed the board thereof, and that many prejudices had hapned by y^e Clark's not haveing them. David Lloyd being sent for, said he had not had time to doe it, haveing been ingaged in a removal of his goods, &c., but said he would doe it as soon as he Could: the Gover^r Declared to him there being a County Court to sitt this week, where they would he needed, that if it were not don in two days he Should take a Course with him to Compell him, w^{ch} he advised him to prevent, and Caused him to withdraw.

Wm. Cloud his Petition was read, setting forth his being taxed for y^e Levies of one and y^e same tract of Land in both y^e County of New Castle and y^e County of Chester, the w^{ch} tract of Land was Laid out

as in the County of Chester, and was part of five hundred acres He bought in England of the Proprietor.

Ordered that the Secretary write a Letter in the name of the Gover^r and Council, to y^e justices of The County of New Castle, to Inquire into that matter, and to Certifie to y^e Gover^r and Council the grounds of their haveing interrupted him, as is therein Expressed, if it so proved, wth what Convenient Speed they Could, and in the meantime to Suspend the Levying y^e payment Complayned of till further Order.

At a Councill in the Councill Room at Philadelphia y^e 26th of y^e first Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

John Bristow,

Wm. Yardley,

Griff. Jones,

Sam^l Carpenter,

Rob^t Turner,

Wm. Markham, Secret^y.

The Gover^r directed the Entryes of yesterday proceedings in Councill should be read.

They were read. As also y^e minute of y^e Councill touching the ascertayning the dividing lyne betweene the Countyes of Philadelphia & Chester, dated y^e 1st of 2. Mo., 1685.

The same were reviewed & observed by Mr. Yardly. In so much as he exprest himselfe he Could not see what was to be sayd against it.

Sam^l Carpenter declared he thought the Welsh people & inhabitants of Philadelphia County should have longer time. Also Mr. Yardly was of the same minde. The Gover^r thought there was no need of them, the matter being so playne, But directed, if any were attending they should be called in.

The Secretary went out to see if any persons appeared on their behalfe, according to the Liberty Granted & directed to be intimated to Tho. Lloyd, at his motion yesterday.

Tho. Lloyd & John Eckley appeared, and the Gover^r asked them if they had any thing to object (on the behalfe of y^e Welsh people) against the Running of the lyne as appeared by the map, which added them to y^e County of Chester.

Tho. Lloyd sayd the Proprietor had given them grounds to Expect they should be made a County Pallatine. The Gover^r ask'd if any such thing had beene past: nothing appeard.

Tho. Lloyd askd the Gover^r by what authority these dividing Lynes were drawne.

It was answerd by the forementioned Order of the Councill, (as farre as concerned this matter,) which agreed with the severall depositions of what had been promised by the Proprietor, and also with the map-lynes, &c. Some other discourses past, but nothing materiall offerd against the thing; Only Tho. Lloyd declared his opinion, That some more time should have been allowed for their appearing to make their Exceptions. He also demanded of the Gover^r whether the

Proprietor had power of himselfe to divide the Countyes, or whether the Proprietor & Councill. The Gover^r answerd that by y^e said Depositions, minutes & map, it appeard to be done by both in this case.

John Eckley declared he had nothing to say, but that he thought further time might be allowed in the matter. The Gover^r tould him he did not think that the Gover^r & Councill could doe nothing about limits, but with the popular allowances.

They both being with-drawne, The Question was put, viz: as many as are of opinion that the bounds of the County of Chester Exprest by the dividing line marked in the large map of the Province, dedicated to y^e Proprietor, and being according to the Order of the Provinciaall Councill dated y^e 1st of y^e 2^d month, 1685, are, and shall be hereafter, held and esteemed the bounds & dividing lyne betweene y^e Countyes of Philadelphia & Chester, declare yourselves by rising up from your seats.

It was carried in the affirmative, by Rob^t Turner, Griff. Jones, John Bristow & Wm. Markham (agreeing with the Gover^rs sense.)

Sam^l Carpenter declaring the ground of his being in the negative was not that he was against the thing, & thought it would be & was best so; only because that he thought the Welsh people & People of Philadelphia should have had longer time for making their defence. Mr. Yardley of the same minde.

Mr. Bristow brought in the Sheriff's Returne of Ellections for members to serve in the Prov^l Councill and Assembly for the County of Chester. The Secretary offerd the like Returne, made for the County of New Castle: both were read & referred to further Consideration.

A Petition was presented to the Gover^r & Councill by Humphrey Morrey, Phill. Richards, phillip James, Will. Lee, for leave to build a wharfe on the side of Delaware River, against y^e End of y^e Chesnutt street, which was read and some things spoken to it; But

The further Consideration thereof Referred to the next Sixth day of this week.

Adjourned to y^e 6th day, being y^e 29th instant, at 9 of the Clock in the forenoone.

At a meeting of The Councill in the Councill Roome in Philadelphia the first of The second month, 1689.

PRESENT:

JO^h BLACKWELL, Esq^r., Gover^r.

Grif. Jones,	Luke Watson,	Joseph Growdon,
Wm. Yardley,	Sam ^l Carpenter,	Wm. Markham, Sec ^r .
Barth. Coppock,		

The Gover^r ord^d the Entrys of y^e Last daye's proceedings in Councill should be read: they were Read accordingly.

The Gover^r Directed y^e Returne made by y^e sheriff of y^e Countv

of Sussex of members to serve in Provinciall Council & assembly should be Read.

Wm. Clark & Joⁿ Hill, members Returned to serve in Provinciall Council, were directed to withdraw.

Consideration was first had of Wm. Clark's Election, who had served Six years before, wherevpon Sam^l Carpenter moved to have that part of y^e Charter read w^{ch} directs that after y^e first seaven years the persons going off should be vncapable of being Chosen againe ffor one year following, &c.

The same was Read:

And vpon the debate it was resolved, Nemine Contradicente, that y^e Returne of Wm. Clark was good, and that there was no Exceptions to be taken against him, but that he subscribing y^e obligation of a Pro^l Councillor, Should be admitted to take his place: which he subscribed, and was admitted accordingly to sitt in Council.

Consideration was also had of Joⁿ Hill. Jos. Growdon desired y^e writt Issued for his Election might be read: the same was read, and vpon debate it was resolved that y^e Returne of Joⁿ Hill was good, and that there was no Exceptions to be taken against him. Jos. Growdon, Barth. Coppock, & Wm. Yardley desenting. He was Called in, & subscribeing, took his place in Council.

Wm. Stockdale being returned to serve ffor y^e County of New Castle, vpon the debate it was resolved, nemine Contradicente, that y^e Returne was good, & that there was no Exception to be taken against him: he was Called in, and vpon his subscription was admitted to take his place in y^e Council.

John Symcock being returned to serve as a member of Council ffor y^e County of Chester, vpon y^e Debate it was resolved, nemine Contradicente, that y^e Returne was good and that there was no Exception to be taken against him. He was Called in, & vpon his subscription was admitted to take his place in the Council.

John Curtis being returned to serve as a member of Council ffor y^e County of Kent, and y^e Returne also read, Griff. Jones acquainted y^e board y^t y^e said Curtis had been fformerly accused by some desolute persons of treasonable words. Wm. Clark, one of y^e Judges appointed on y^t occasion, said y^e words were not Treasonable, and y^t y^e Grand Jury did returne y^e bill Ignoramus, &c., and so said Griff. Jones. Js. Growden said that Curtis was well reputed in his County, &c.: vpon debate it was resolved (nemine Contradicente) that there was no ground of Exception against him. He was Called in, and vpon his subscription admitted to take his place in y^e Council.

Joⁿ Eckley was Returned by y^e Sheriff to serve as a member of Prov^l Council ffor y^e County of Philadelphia, but with submission to y^e board ffor that fifty or sixty welsh men who were not of that County had joyned themselves in y^e Vote, y^e Gover^r desired y^e Council's serious Consideration touching that Returne, and ffor their fuller information, directed y^t y^e Entrys of y^e Council's proceedings in their debate touching y^e bounds and lines between y^e County of Philadelphia & Chester, viz: on y^e 25th & 26th days of y^e Last month, should be read. They were Read; And vpon debate it was Resolved

y^e Election of Joⁿ Eckley to be a member of Provⁿ Council for Philadelphia County, ffor y^e Reasons advertised in y^e Returns thereof, given by y^e sheriff, was not a good election, according to y^e Charter and Rules therein in that behalfe, Samⁿ Carpenter, Jos. Growdon, Wm. Yardley & Wm. Stockdale only dissenting.

The Gover^r therevpon declared he would Speedily Issue out a new writt ffor Chuseing not only ffor Joⁿ Eckley, but for Samⁿ Richardson, to Supply his place for y^e Remainder of his time, he haveing misde-meaned himselfe in Councill. Jos. Growdon moved that y^e Returne of Thomas Loyd ffor to serve as a member of Provⁿ Council ffor y^e County of Bucks might be Considered: y^e Gover^r said it was late and y^t he had some thing to say ag^t it, w^{ch} he would declare to them at next sitting, w^{ch} was appoynted y^e next day, viz: y^e 2^d of y^e 2^d month, at 9 of y^e Clock, and adjorned accordingly.

At a Councill in y^e Councill Roome at Philadelphia y^e second day of y^e second month, 1689.

PRESENT:

JOⁿ BLACKWELL, Esq^r., Gover^r.

Griff. Jones,	Jo ⁿ Symcock,	Wm. Yardly,
Jos. Growdon,	Barth. Coppock,	Jo ⁿ Curtis,
Luke Watson,	Wm. Clark,	Jo ⁿ Bristow,
Jo ⁿ Hill,	Sam ⁿ Carpenter,	Wm. Markham, Sec ^r .
Wm. Stockdale,		

The Gover^r directed that y^e Entrys of yesterday's proceedings of y^e Councill should be Read: they were Read: y^e Gover^r acquainted y^e board he should begin with y^t matter w^{ch} was Last mentioned; w^{ch} was to acquaint them wth what he had to say against y^e admitting y^e Returne of Thomas Loyd to set as a member of Provⁿ Council ffor y^e County of Bucks, and made a Large discourse of y^e powers granted him by y^e Propri^{ty} Commission formerly granted to y^e Provinⁿ Councill and Comm^{ty} of State, to w^{ch} there was Reference made by his said Commission.

And perticularly setting fforth how the said Thomas Loyd had by his miscarriage in sundry respects, obstructed his, y^e said Gover^r, proceedings in y^e Discharge of his Trust. And haveing delivered in a paper Conteyning the heads of Severall articles of high misdemeanors, Crimes and offences, Where with he Charged y^e said Thomas Loyd, in y^e name of y^e Proprietor & Cheiff Gover^r, (w^{ch} he directed Should be Read, and was read accordingly,) He proposed a Committee might be appoynted ffor Considering y^e same, &c., ffor preparing and makeing ready in Due forme, articles to be prossecuted and proved against y^e said Thomas Loyd, and that therevpon he might be brought to a tryall, to be managed in y^e Proprietor's name. Joseph Growdon moved that Samⁿ Richardson might be admitted to Sitt and act as a member of Councill ffor y^e County of Philadelphia.

The Gover^r told him his misbehaviour had been such as had Excluded him, & that he had given Direction for a writt ffor a new Election of one in his Stead: he, y^e said Joseph Growdon, moved also y^t y^e vote that had past yesterday touching y^e Returne of y^e Election made by y^e Sheriff of y^e County of Philadelphia, might be past by y^e Ballott. The Gover^r told him it Could not be admitted; it was yesterday past by y^e vote as had been vsuall, & 'twas affirmed y^e balloting box had never been made vse off on any such occasion, and that he saw no reason to make vse of it in that Case.

Adjorned till To morrow morning, 9 of y^e Clock.

At a meeting of the Councill in the Councill roome in Philadelphia, the 3^d day of the 2^d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

Jn ^o Symcock,	Jn ^o Hill,	Sam ⁿ Carpenter,
Jos. Growdon,	John Curtis,	Griff. Jones,
Jn ^o Bristow,	Wm. Stockdale,	Luke Watson,
Wm. Yardly,	Barth. Coppock,	Wm. Markham, Sec ^r .
Wm. Clark,		

The Gover^r directed the last Entry should be Read; they were Read accordingly.

The Gover^r was entering upon a discourse touching the heads of the articles of charge exhibited against Tho. Lloyd, But whilest he was speaking Samⁿ Richardson, a late member of Councill, came into y^e Councill roome and sate downe at y^e table.

The Gover^r askd him if he had any thing to say to y^e Councill.

He sayd He came to discharge his duty as a member of that board.

The Gover^r told him he had beene dismiss for his misdemeanors in Councill, and that a writt was ordered to be issued for Electing another in his Roome. He demanded for what. He knew nothing he had done, but that he had sayd thou wert a Deputy Gover^r, and that he was ready to make good; and added, He was never heard; He was never heard; and had asked for a Copy of the minute & could not have it.

The Secretary sayd: He spake to him therof in the Street, but never came to him for it.

The Gover^r told him It was Enterd, and that his behaviour was with so great contempt of the authority of the Proprietor & that board, as could not be borne; And therefore, Required him to withdraw, which he Refused: thereupon The Gover^r declared that if the Councill did think fitt to suffer such interruptions to his & their proceedings, and so high affronts to be given him sitting there, & there was no way to prevent the Coming of persons, He would adjourne the Councill to another time, and provide for his being kept out by some officer he would appoint to keepe the dcore.

The sayd Richardson continuing there, and there being a Silence, The Gover^r adjourned till two of the Clock in the afternoone.

POST MERIDIAM.

The same persons present.

The Gover^r acquainted the board That he thought fitt That the heads of the charge he had exhibited against Tho. Lloyd should be prepared: and that as he had when he delivered in the same, propounded A Committee might be appoynted for that purpose.

Joseph Growdon sayd: He thought it was fit That the businesse of Sam^l Richardson should be considered, that the board might be filled with their members, and that he questioned whether the Councill had power to Exclude a member chosen by the people, for then they might all be Excluded at pleasure, &c.

The Gover^r tould him He doubted not to Exclude him or any member whatsoever, that should misbehave himsef as he had done; and sayd, It is the undoubted privilege of all Courts & Corporations to judge the misbehaviours of their owne members sitting amongst them, and that his misbehaviour had been insufferably great in their opinions, and was comitted in their view, & consequently, That none could be so proper judges therof, and they had so adjudged it. He also Added, that many facts done in the view of one justice of the peace, Was sufficient for conviction, & Recording it.

It was moved, The proceedings might be read: they were Read. It was objected that y^e Exclusion was but conditionall, and moved That he might be allowed to acknowledge his offence, or Fined, &c.

The Gover^r sayd He knew not that they could fine him. That it was to late to admitt his acknowledgement if he should tender it now, for that a writt was ordered to be issued for a new Election, which had beene notified by the Sheriffe. Besides, that there seemed to be little probabillity of his Submission, for It might be observed how that when he appeared in the morning, as he offerd no such thing, so he stood upon his owne innocency & vindication, saying He Knew nothing he had done; and when he had been ordered by the Gover^r to withdraw, he had refused so to do, and had inforced him to adjourne the Councill whilst he was present.

In fine, That the affront was insufferable. That it had been allready adjudged; and that he should not sitt there to suffer such abuses & affronts, nor would he bear them from any member sitting at that board; and that he would advertise the Proprietor accordingly, and abide his Censure.

Many intemperate Speeches & passages happend, fitt to be had in oblivion.

The Gover^r desired therefore, They would forbear all provoking heats & animosities in their further proceedings, and proposed againe, That a Committee might be appoynted to prepare & forme the charge against Tho. Lloyd, for that before they enterd upon preparing Bills, It was fit they should be in a Capacity to make them & Execute them when made Laws, which could not be till those things were considered, and due remedies applied, and that depended thereon, The sayd

Tho. Lloyd assuming to himself to render all their attempts insignificant whilst he refused to set the Great Seale in cases Requisite.

Here againe arose some warme debates, divers of the members expressing their in-ordinate affections for the sayd Tho. Lloyd; and saying they could not (& one of them he would not) believe him to be such a person, & so guilty as was mentioned in the Charge.

The Gover^r tould them the things would be proved.

Some moved that he might be sent for and heard what he had to say for himselfe, before there were any further proceedings, saying it may be he could give the board satisfaction.

The Gover^r Replyed The articles were not finished, and It was against all the Rules of judiciall proceedings to Require a man to answer till his charge was ready. He added, That he had in the name of his master charged him with crymes, offences & misdemeanors, which were well known to himselfe, the Gover^r, and to divers other members of that board present to have been comitted by him. That when the charge was ready He should be sent for. It should then be Read to him and his answer required, and a Coppy therof & time given him for making his deffence. But that divers of the things were so well known to be true, and were of so high a nature, and so mischievous & obstructive to his and their proceedings in the Governm^t, as by the Charter and Laws was required, that without application of due remedies it was in vayne for him & them to sitt there, (w^{ch} was likewise declared to be the opinion of divers of the members present: but was of little esteeme with others, on the account of their tendernes towards him,) and the sayd motions rejected in such warme Expressions as are not fitt to be Recorded.

It was objected by some that such proceedings against such a person would be of ill consequence to the Contrey at this time, in that it would discourage persons from coming over amongst them, &c.

It was answered That on the contrary, if partiallity were used, that would more discourage persons; Especially where justice required their detestation of such things comitted by friends, if they should not Testify against it, &c.

The Governortould them It was needfull to lay aside affection, & to do justice on the behalfe of the Proprietor & people, and tould them, if they should not think fitt to direct a further proceedings, he would himselfe appoynt some persons to do what he had moved, in order to the perfecting the charge, and preparing, methodizing & mannaeing the evidence.

It was answered by some, He might if he would; they were not satisfied in it.

Wherupon the Gover^r thought fitt to give them a dayes respite to consider what they would do.

It was moved They might sitt in a grand Comittee amongst themselves.

The Gover^r, (being aware of what was indeavord abroad,) &c., Replyed, He saw how hard a matter it was for them to keep within y^e bounds of due respect to each other: That he did not therefore

think fitt to allow therof unlesse himselfe were present, as he conceived it was his duty to be at all their meetings & transactions in publique affayres.

It was answered that would not do, &c.

Thereupon the Governor adjourned the Councill untill the 5th day of the month, at nine of the clock in the forenoone.

At a Councill mett in the Councill Roome in Philadelphia, the 5th of y^e 2^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

Wm. Clark,	Griff. Jones,	Wm. Yardly,
P ^r Alrichs,	Jn ^o . Symcock,	Barth. Coppock,
Luke Watson,	Jn ^o . Bristow,	Sam ^l Carpenter,
Jn ^o . D'Haes,	Wm. Stockdale,	Jn ^o . Curtis,
Jn ^o . Hill,	Jos. Growdon,	Wm. Markham, Secre.

The Governor & Councill being assembled & Sate, were entring upon businesse, But were interrupted by Tho. Lloyd's comming in, in manner following, viz:

The Gover^r asked him if he had any thing to say to the Councill.

He answered that he came to take his place & do his duty as a member of that board.

The Gover^r tould him, There was nothing Expected of him untill he should have given satisfaction to y^e board touching severall high crimes, offences & misdemeanors, wherewith he stood charged. And therefore desired him to withdraw & not to hinder their proceedings. He Replyed, (amongst other things,) He had as good Right to sitt there & give his advice as the Gover^r had to be Gover^r. That he had a double Right, &c. The Gover^r tould him It was not so judged, &c., and in as much as he would not withdraw the Gover^r adjourned to his owne Lodging in Philadelphia, and arose; Requiringe the members of the Board to attend him there forthwith.

Most of the members stayed some time, during Which there were so sharpe & unsavoury Expressions used by him, the sayd Tho. Lloyd, to the provoking divers of y^e sayd members, some of which were heard by the Governor himselfe, whilst he stayed without the doore, & others of w^{ch} was acquainted by the Secretary, who came out to him & tould him they were in such heats & quarrellings as he believed would not Easily End If the Gover^r did not returne & comand their departure. The Governor Returned and Required of him, y^e sayd Tho. Lloyd, that he should depart; and likewise the members of y^e Councill, that they forthwith attend him to y^e place to w^{ch} he had adjourned them. Some of them, to the number of 6 or 7, went away with the Governor, and the Rest came all of them in a short space afterwards.

Being sate, The Governor directed the Entryes of y^e last daye's proceedings might be Read: they were read.

Some Exceptions were taken against some parts of it by Samⁿ Carpenter: the Gover^r thereupon directed they should be read over, in parts, That notice might be taken of the particulars.

Joseph Growdon declared himself against the whole, but in reading that part wherein it was exprest That he questioned wether the Council had power to exclude a member chosen by the people, for then they might be excluded at pleasure: he sayd he did not remember that he used the words at pleasure. Also, y^e words [they were Read therevpon] Excepted ag^t agreed to be put out.

Samⁿ Carpenter sayd, He did not know That any intemperate speeches had been used, and moved That part might be omitted in the Entryes.

The Gover^r Replyed he judged them to be so. John Symcock Exprest his desire that y^e word [in-ordinate] where it is sayd divers of the members expressing their in ordinate affections for y^e sayd Tho. Lloyd. The Gover^r Replyed that was his sence of it, for that he could not prevayle with them to put the charge into a way of procedure, &c.

This being over, The Governor desired they would severally declare their opinions, whether That interruption & disturbance to their peaceable sitting in the Council Roome, made & given by Tho. Lloyd, were not a misbehaviour in him: divers of them particularly & expressly declared they so adjudged it, and that it could not be judged otherwise: Others were of a contrary opinion; and some would not speak as to y^e behavior or misbehavior, but declared obliquely, viz: One that it was not his opinion That Tho. Lloyd came there with intention or designe to misbehave himself; some That his coming to demand his right was not a misbehaviour; others y^t they were not present at y^e begining & did not see any misbehaviour; others that there was not any likelihood of their going together by the ears, as had beene affirmed.

Wm. Clark sayd no member of Council ought to challenge a place till his qualification be judged by the Council; he doubted not but Tho. Lloyd was duely Elected; but there was a high charge against him, and in such cases It had beene the usuall method of the proceedings of that board not to admitt members returned till they had cleared themselves, for that till then he is to be look'd upon as a person that may be guilty, at least by some persons, and that till he be cleared he ought not to attempt to take the seate of a member at the board. John Hill sayd that was his case: he was not admitted after long attendance, and that though he had not spoken or acted as Tho. Lloyd had done, yet Tho. Lloyd said he ought to be bound to the good behaviour, &c. Joseph Growdon moved for y^e Ballot. The Gover^r answered He had not heard that ever it was used in Council before he came. But now that he had heard their severall opinions, He would take it upon himselfe to Exercise his authority, as he was directed by the Hon^{ble} Prop^r & Chief Governor, for suppressing all factions, Seditions & animosities, and so past off from that debate.

The Gover^r moved to know their mindes whether they would enter upon the consideration of preparing bills to be past into Laws, & tould them he would put the businesse of the charge against Tho. Lloyd, into a way of perparation for their proceedings theron: after many things sayd in debate, The Governor proposed this Question, Viz^t:

As many as are of opinion That this Councill shall proceed upon the businesse of preparing bills to be past into Laws, and that there is a sufficient number to proceed theron, declare yourselves by standing up from y^r seates. It was carryed in the affirmative by Eleaven of 15 voyes of y^e members present. The 4 dissenters were Sam^l Carpenter, Jos. Growdon, Wm. Yardly and Jn^o Bristow.

And in order to their better proceedings therin, It was Resolved and ordered,

1. That the Rolls of all the Laws and ingrost lawes of this Province & Countyes annexed, appoynted by the King's Letters pattents, to be published under the seale, shall be brought before this board by the Keeper & master of the Rolls, or his Deputy, in order to the consideration of them, whether they have that Sanction which the Patent & Charter requires.

2. That the time for bringing them in shall be at y^e next sitting of the Councill.

3. That Wm. Clark, John Symcock, & Jn^o Bristow, do attend the Keeper with these Resolves.

Adjorned till nine of y^e Clock to morrow morning.

At a Councill in the Councill Roome at Philadelphia, y^e 6th of y^e 2^d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gover^r.

John D'Haes,	Jn ^o Symcock,	Wm. Stockdale,
Pet ^r Alrichs,	Barth. Coppock,	Jos. Growdon,
Wm. Clark,	Griff. Jones,	Wm. Yardley,
Luke Watson,	Jn ^o Curtis,	Wm. Markham, Secre.
Jn ^o Bristow,	Jn ^o Hill,	

The Gover^r directed y^e Entry of the proceedings of the last Councill should be Read. They were Read.

Wm. Clark (in presence of John Symcock & Jn^o Bristow) Reported to y^e Councill That In obedience to y^e Resolves & order of y^e board past at the last sitting, they did go to the Keeper & Master of the Rolls to acquaint him with those Resolves, & did acquaint him therwith; upon which he ask'd whether or no that they were to deliver as a message was by word of mouth or in writing. That they answered, That they had not any distinct comand about that, but that he had a Coppy of the sayd Resolves, which he delivered to him; and that after he had perused it, the Keeper returned this answer: That he would prepare his answer for it. That he asked the Keeper

when it might be expected, & told him it was desired the board might have it this morning. The Keeper answer'd He should take care of it.

The Keeper presented himselfe in the Councill roome.

The Gover^r acquainted him with the substance of the Resolves, and that the Committee appoynted had Reported. That he sayd he would give in his answer.

The Keeper tenderd his answer in writting, w^{ch} was read by y^e Secre. and is as followeth, Viz:

To the present Gov^r & members of Prov: Council.

I received y^e Resolves this Evening late, of my bringing to your next Council the Rolls of all the Laws & Ingrossed Laws of this Prov. & Territories, appointed by the King's Letter's Patents to be published under the Seal; Truly I know n^t any such Laws, either in Rolls or ingrossem^t, so appointed to be published, neither can I understand by your Order what Seal is meant, whether the Greater or Lesser: neither have I declined my Duty in inrolling or legally recording any Laws wth the Gov^r & Council, or General Assembly, have Recommended or directed to my Office: The Truest ingrossed Copy of the Laws w^{ch} I know of is that which belongeth to & was used at the Board by the Proprietarie & Gover^r, & as I suppose, may Conteyn all the Laws made Since, & which Copy was generally perused upon Legislation. A fuller answer I cannot well give in so short a Time, but shall endeavour personally to returne you further-satisfaction to what Questions you may propose herein..

THO. LLOYD, M^r. of the Rolls.

PHILADELPH. the 5th sec M^o., 1689.

The Gover^r asked the Keeper whether any Laws of this Contrey had been past or published under y^e Great Seale: He answered The Originall Charter (which now remainys in his custody,) was past under the Great Seale, but no other Lawes that he knowes of, Except y^e act of union, were, which in y^e close therof is sayd to be past under the Great Seale, but he knows not where that is, or whether it were past under the Great Seale or not.

The Governor askd the Master of the Rolls whether the Laws were enrolled in parchm^t Rolls, as by the Charter & his Comission of Master of the Rolls is required. He answerd, None but y^e first 60 Laws past at Chester had been inrolled; That their inrollm^t was before his time; and he could not say that those Rolls were authentique Coppys: and that he did not know any better Coppy of the Laws than that w^{ch} the Councill hath.

Some Question arose whether the Laws were to be published under the Great or the Lesser Seale. The Gover^r declared That by y^e Letters patents from the King, they were to be published under y^e Seale of Wm. Penn or his heirs, and that by the Proprietor's Comission to the Keeper of y^e Great Seale, He was appoynted to passe them under the Great Seale.

Griff. Jones proposed that the Inrolled Coppys of the first 60 Lawes might be compared with the Coppy used at the Councill, and that the Councill's book of Laws might be sett right for so farre. Approved

therof: & in order thereunto, The Gover^r proposed, That those Rolls should be brought to y^e Councill & compared, for that purpose. The Keeper promised The Rolls should be delivered to y^e Secretary, or whom the board should direct, & left with them for the space of a week, or such time as they should think fit, in order therunto.

The Gover^r Proposed That the Committee sent yesterday to the Keeper might be desired to attend the Keeper for the Receiving the sayd Rolls.

The Committee went, and after a short space returned with three parchm^t Rolls, conteyning the Enrollment of 69 Lawes, according to the numbring of them with figures.

The Board Referred them to the Secretary, to be Examined by comparing them with the Councill's book of Laws, and directed That if he found any variations in the numbring or Copying of them, such variations should be Reported to y^e board at next sitting.

Adjourned to the 2^d day next week, at 10 of y^e clock in the fore-noone.

At a Councill in the Councill Roome at Philadelphia y^e 8th of y^e 2^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r. Gover^r.

Wm. Clark,	Wm. Yardly,	Wm. Stockdale,
Jn ^r Symcock,	Griff. Jones,	Jn ^r D'Haes,
Jn ^r Curtis,	Luke Watson,	Pet ^r Alrichs,
Joseph Growdon,	John Bristow,	Sam ^l Carpenter,
Jn ^r Hill,	Barth. Coppock,	Wm. Markham, Secre.

The Gover^r directed y^e Secretary to Read the entryes of y^e last Councill's proceedings. They were read.

The Gover^r caused two Letters to be read, directed to him from y^e Justices & Sheriffe of y^e County of Sussex, touching a Rumor of an invasion made on Maryland by 9000 Sennekers & french, &c. But y^e board having received advertissem^t That it was groundlesse, It was thought fitt That y^e Gover^r should retorne thanks to y^e Gent. for their care, but withall to caution them that they do not herafter presume to rayse the Contrey without more manifest cause; and directions for that purpose.

The Secretary Reported his having Examined & compared the Rolls of y^e first 60 Lawes with y^e Councill's book of Laws. He found little agreem^t, and that y^e sayd Rolls, as y^e Keeper sayd last sitting of y^e Councill, were not authentique; So that there was no depending on them.

The Gover^r proposed their procedure upon the consideration of y^e fundamentall Lawes, & agreed w^{ch} were the fundamentall, Viz^t: the act of Naturalization or union, y^e first, 36^o, 37^o, 38^o, 43^d, 51th, 56th, 57th, 58th, 62^d, 64th, 67th, and 132^d.

The Gover^r proposed they would be Serious in y^e Consideration whether y^e sayd fundamentall laws were sufficiently confirmed or Established, having not been published under y^e Seale, as by y^e King's patents was directed, and that they would come prepared to Resolve it to morrow morning, 9 of y^e Clock.

Ordered y^e y^e parchm^t Rolls rec^d saturday of y^e Keeper, should be Returned by y^e Com^{tee} that brought them.

Adjorned till to morrow morning, 9 of y^e clock.

At a Meeting of the Provinciall Council in the Councill Roome at Philadelphia the 9th day of y^e 2^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r. Gov^r.

Wm. Clark,	Peter Alrichs,	Barth. Coppock,
Luke Watson,	John D'Haes,	Jos. Growden,
Jn ^o Hill,	Wm. Stockdale,	Wm. Yardly,
Griff. Jones,	Jn ^o Symcock,	Wm. Markham, Se.
Jn ^o Curtis,	Jn ^o Bristow,	

The Gover^r directed y^e Secre to read the Entryes of the last day's proceedings. They were read.

The Governor acquainted the board that he hoped they were come prepared for the Consideration & further debate about preparing Bills adjourned to this time; But withall, that he thought meet to acquaint them That he had this morning received a printed paper, (called the frame of the Govern^t. of this Province, &c..) brought unto him by the Secretary, who sayd he had it from Wm. Clark, a member of this board, and that he had it from Jos. Growdon; who being present, the Gover^r desired to know of him how he came by it.

Jos. Growdon answerd, Wm. Clark had a little book of me.

The Gover^r asked him againe how he came by it, & tould him, It was a high presumption in any man, especially a member of that board, to promote the publishing of any paper of such concerne without direction, Especialy for that it was false in so fundamentall a poynt as that was, and that unlesse he could cleare himselfe he was liable to Censure.

Growdon answerd, If there were any error it was in the printing of it.

The Gover^r askd Wm. Clark whether he had Received it from Jos. Growdon. He answerd he had, & that he askd him 6^d for it, & tould him it cost him 2th printing, & that he offerd him 6 more for 18^d.

The Gover^r asked Growdon who printed it. He answerd he did not know. The Governor askd him whether he had ordered the printing of it.

He answerd. He was not bound to accuse himselfe.

Being asked when he gave it out to be printed. He answerd He supposed that what was printed Was printed before yesterday, and he

did not think he was bound to answer any further about it. He did not intend any hurt in what he had done in giving out some of the papers.

The Gover^r having askd him if he had any thing more to say, He was silent. He then directed him to withdraw, whilst y^e Council should consider what to do in it.

He sayd, He did not think fitt to withdraw.

The Gover^r proposed it to y^e Council to declare their opinions whether he ought not to withdraw whilst it was debated. They being silent,

The Gover^r adjourned the Council till 2 of y^e Clock in the afternoon.

POST MERIDIEM.

The same members present, & Sam^l Carpenter.

The Gover^r sayd He should take up the businesse of Jos. Growdon publishing the printed paper produced in the morning, For that he lookd upon it as being of a dangerous nature (in the present Condition of our affayrs, and distractions the Countrey were in) to have such a paper published; not only for that it was false, But for that the Proprietor had declared himselfe against the using of the printing presse; and Especially for that there seemed to him to be severall things therein conteyned which though they might be fit for the people of this Province to know, (and that they might do by having Resort to the Keeper's, where it was lodged,) but would be of ill consequence to be Known to others, and possibly might bring the Proprietor's title in question, &c., and therefore declared He Expected That Jos. Growdon should withdraw, whilst they gave their sense about it.

Jn^o Symcock declared he was not satisfied that it was any prejudice to y^e Contrey, for that the Gover^r had sayd He would have the Children taught it.

The Governor Replyd: are you not satisfied That Growdon should withdraw till it be debated.

Growdon himselfe sayd. He did not think fitt to withdraw to be judged behinde his back.

John Eckley came in the Council Roome, and sayd he was come to offer himselfe to y^e board to do his duty. The Gover^r told him they were at present on another consideration, & desired him to withdraw till that was over.

Jos. Growdon demanded That all the members of the Council might be admitted before they proceeded any further.

The Gover^r told them they were all present Except Tho. Lloyd, who stood charged with so high Crimes, offences & misdemeanors, as he could not think fitt to admitt him till he had answered to them, w^{ch} he found them unwilling to bring him to a tryall upon, and Sam^l Richardson, who was Excluded for great contempt of the Proprietor's & Gover^r authority: Only John Eckley, whose Elections they had voted illegall.

Wherupon Wm. Yardley declared, Except we may have our members w^{ch} were duly & according to charter Elected, & intrusted by the people for the service of y^e Contrey, admitted to sitt with us

for the service that is Expected by them that chose them, desired we may be dismiss rather than to sitt here.

The Gover^r sayd he knew of none kept out That are duly Elected, unlesse (as he had sayd before) such as are under a charge & Sentence of this board of misdemeanor.

Jn^o Hill sayd: That he observed since he had been at Councill, there had been many obstructions in our debates for making Laws; that we could not proceed. I desire we may be dismiss, & think it best the Gover^r chose his owne Councill: we cannot agree.

Jn^o D'Haes sayd: For my part I was chosen by the Contrey, and I see no businesse can be done but by quarrelling at every thing, So that we are all hindred from doing any thing: I desire we may be dismiss & not required to stay longer: we can do no good.

Samⁿ Carpenter sayd: As to that man that appeared last, (viz: Jn^o Eckley,) I hope thou hast nothing against him nor his Election. If thou hast, I desire to know what thou hast. I desire he may be admitted to take his place.

Joseph Growdon sayd the Ballot was to decide doubtfull questions.

Griff. Jones sayd there were such disorders at the Election as he never saw before. We desired the Poll and Ballot, and appealed whether there were not many persons present that were inhabitants of Chester Countey, and that came out of Jarsey, which by the Poll or Ballot we should have known whether they had right or not to elect, & could not otherwise be determined.

I did as much as in me lay to have it done by the Ballot, as the Charter directed, &c. But I am sure we spend our owne time & money, & the Contrey's, in hopes of having laws, but we cannot hitt it; we are hindred from doing any thing; Therefore, I think it is best for every one of us to go about our businesse. We do but Exasperate & provoke one another, and beget heats & animosities, to the hurt of the Governm^t.

Jn^o Symcock sayd: as to the writ that went out for the Election of John Eckley, If I mistake not there were some things in it as that They should either make a new Election or stand to their first choyse; and if so, thou mayest be satisfied.

The Gover^r Replyed he did not remember any such thing; But should be as glad as any man to finde there were a doore open to admitt him, for he looked upon him as a very worthy person. But he thought it was otherwise.

The Gover^r desired the Entry of the writt might be read.

Whilest that was sent for, in order to the Reading of it, Wm. Stockdale sayd He wonderd that the Ballotting box should in some Cases be so much cryed up & at other times denyed, wherein our priviledges & libertyes are much concerned.

The Gover^r sayd: I will answer for my denyall therof in such cases wherin I have not thought it necessary to use it. But (added) I see there is such a ffaction made amongst you of this board, That I cannot answer it to trust the affayrs of the Governm^t comitted to me, unto such a Clandestine decision; For I see how you are influenced, many of you, &c. But besides, I am assured It has not beene used in like cases before my coming at this board.

The Secretary produced the Entry of the writt of Election of Jn^e Eckley, &c., w^{ch} was Read; which is as followeth, viz':

JOHN BLACKWELL, Esq^r., Govern^r of the Province of Pensilvania & Countyes annexed, Under the Honb^{le} William Penn, Lord Proprietor and Cheif Governor of the same, & his Heirs.

To John Claypoole, High Sheriffe of the County of Philadelphia, sendeth Greeting:—

Wheras, it hath appeared to y^e Provinciaall Councill, by your return of Elections made the Eleventh day of the first month, commonly called March, bearing date the 29th day of the first month, 1689, That a great number of Persons having mett in Philadelphia for the Election of one person for a member of Provinciaall Councill, and six for assembly, amongst which were about 50 or 60 persons of the Township of Haverford & Radnor, &c., who were supposed not to belong to the County of Philadelphia; Yett they then gave their Vote by Ballott, with y^e Freemen of the sayd County; Whereupon the sayd Election was by the sayd Councill resolved not to be a good Election, according to the Charter and rules in that behalfe, although they could not but approve of the sayd Jn^e Eckley as a worthy and fitt person: And whereas, Sam^l Richardson, a late member of the sayd Prov^l Councill, through his great misdemeanor, as well towards the Honb^e Proprietor, in contemning & denying his authority, as towards the present Gover^r under him and his Heirs, Insolently denying him to be Gover^r, and that the Proprietor could not make a Gover^r and other wrath full and outrageous words, deportem^t & carriage of his, in view of the Councill sitting for mannagem^t of the affayrs of the Governm^t, w^{ch} occasioned the Vote and resolve following to be past against him on the 25th day of the last 12th month, viz': that the words & Carriage of the sayd Sam^l Richardson were unwhorthy and unbecoming a member of y^e Councill to the Gover^r, and that he ought to acknowledge his offence and promise more respect and heed for the future, before he be allowed to sitt againe in Councill: and wheras, he, the sayd Sam^l Richardson, persisting in his obstinacy, hath not to this day either acknowledged his sayd offences, or promissed more respect or heed for the future, but declared himselfe, he cared not whether ever he satt there more again: And wheras, there is a present need of the full number of members to serve for provin^l Councill, as by Charter is required for preparing bills to be past into Laws, and other Weighty matters:

These are therefore, by his Maj^{ty} authority, and in the name of the Honb^e Lord Proprietor and Cheif Governor, to will and require you to give as Speedy and timely notice as may beto the Freemen Inhabitants within your County capable of Electing, That they meet at the usuall place of meeting for such purposes, on the eighth day of this instant month, comonly Called Aprill, between the Hours of nine & Eleven, then and there to Elect and Choose from amongst themselves Two persons, of whom they have had experience for their approved fidelity, Virtue, Wisdome, Ability and Peaceable demeanor, to serve in the sayd Prov^l Councill, Viz': either by confirming the sayd Jn^e Eckley, or choosing some other whom they shall think fitt in his stead, for the

terme of Three years; and whom else they shall think fittest to serve in the stead of y^e sayd Samⁿ Richardson, for the remaining Space of two years of the three for which he was Chosen; and that you make due returne therof to the Gover^r & Provⁿ Council, for which this shall be your Warrant. Given at Philadelphia, the 2^d day of the Second month, in the 5th year of the Reign of King James the Second of England, &c., and ninth of the Proprietor's Governm^t in and over this Province, &c., anno Dom. 1689.

The Gover^r Declared He was sorry It did not answer Jn^o Symcock's Expectation, for he did not finde, That they were directed to confirme Jn^o Eckley otherwise than in the usuall way directed by the Charter for Election by the Ballot, which had been demanded, but the disorder of the people would not permit it.

Wm. Clark sayd: He did not see that necessity of the Ballot for Jn^o Eckley, but to have a free vote for his confirming, and thought he might be admitted for any thing that he did understand.

John Bristow desired to know whether the Sheriffe had made any R^turne of it or no, & desired the Returne might be read if it were made.

The Sheriffe's Returne was read by the Secretary, w^{ch} is as followeth, viz':

To the Honb^{le} JOHN BLACKWELL, Esq^r., Govern^r of the Province of Pennsylvania and Countyes annexed, and Provinciall Council, &c.



According to a Warrant from y^e sayd Honb^{le} Gover^r, to me directed, the Ffreemen of this County mett at y^e time and place therin Specified, and a method being proposed, they did declare that at that time they were not willing to vote by Ballott, and then nominating Jn^o Eckley, they did by Maj^r Vote confirm him to be their representative in Council for the term of Three years; and afterwards putting up Samⁿ Richardson, they did by Maj^r Vote Elect him for the remaining time he was to have served, and likewise declared their willingness to Confirm the former Choice of members for Assembly. In Witness wherof, I have hereunto sett my hand and Seal, the Eighth day of the Second month, in the fifth year of the King's Reign, & ninth of the Lord Proprietor's Governm^t., Anno Dom. 1689.

JOHN CLAYPOOLE, Sherif.

John Bristow observed upon it, That the writt was satisfied by that returne; For it was a confirming John Eckley, as was directed by the writt.

Wm. Yardly sayd: My opinion is, That the Return of the Sheriffe is that the people have confirmed that Election that was before, and so has answered the writt, and that he has right to come & take his place.

Bath. Coppock declared: He was of the same opinion with the member that spake last.

Wm. Stockdale sayd: I do also agree with what the last member sayd. Samⁿ Carpenter sayd: The use of the Ballot is where there is

doubt. Here it was apparent, & therefore I think it is as well every whitt in this case.

The Gover^r said: The former Election has been allready determined not to be a good Election, and therefore that cannot be insisted upon.

John Curtis said: I think it was a very fayre Election. In other places we are Generally chosen by the Vote: and I think where they are unanimous, there needs no controversy.

The Ballotting box is not used in any other place but this County. Wee are Elected by Vote.

Griff. Jones answered That was a mistake, for it is used at upland & in all the Lower Countyes, by black & white beanes put into a hatt, w^{ch} is a balloting in his sense, & cannot be denied by the Charter, where it is demanded.

The Gover^r said I take it to be so agreed by the Charter that the Election shall be by y^e ballot, and am sorry it was not so done in this County upon this occasion, where they had alwayes heretofore insisted upon it as their Right. But I do not yet see how it can be allowed that Jn^o Eckley should sitt.

Sam^l Carpenter said: I look upon it that we are judges of Our members, otherwise we may be Refused or turned out at pleasure. We are abused.

The Gover^r desired him to Explayne himselfe by whom they were abused. His answer was as dark as his former Expression; and so was past over.

Wm. Clark said: a great deale of time hath been spent & little or nothing done. We mett as a legislative Councill in order to preparing lawes, But we are not yet gotten to the begining of that; and I do not see we are like to make any progresse in it. One thing or other does happen amongst ourselves to put a Stop to our procedure, and now the time is so farr spent that I think we shall not have time to go on with it if there were no objections in the way. We have sate already longer than we used to do on this occasion, and for as much as we are not like to do any thing, I desire we may be dismist to our private Concernes.

Griff. Jones said: I have once already, & I doe againe desire, if we cannot go on to make Laws for the Province & Countyes annexed, & people therof, & that without interruption, That we may have liberty to go about our businesse.

Peter Alrich said: I desire we may be dismist & go about our businesse; things standing as they do, that we cannot be suffered to proceed.

Wm. Stockdale said: I desire we may have our members for carrying on of what lyes before us, as we ought to do, &c.

Wm. Markham said: He thought it was necessary the Councill should be dismist; he saw no service they like to do, & that it was too late now to begin to prepare lawes seasonably.

Jn^o Symcock said: A dismissee might be acceptable enough to most or all of us, but we are obliged to do some service for w^{ch} we came, and to that end we have mostly all along desired to have our members. I

desire that what of our time remainys we may indeavor to spend it to the purpose intended.

The Gover^r sayd: I am sorry we have beene renderd thus indisposed thereto by Councils from abroad. I have frequently given you the grounds of my not agreeing with you, as to the bringing in the three members you would have. I have a Conscience to be Exercised, & a duty incumbent in discharge of my trust, as well as any of you, and I conceive it lyes with more weight upon me if I suffer a miscarriage in these Councils. But I have sayd what was on my thought to say as there has been occasion; and since it appeares to me, That we are hinderd on that pretence from proceeding any further, I think fitt (according to the advices of many of you) to adjourne this meeting of Council on the Legislative account, till further occasion; Expecting you do agree amongst yourselves who shall attend the ordinary meetings of this board, on each 2^d & 5th days of Every week, as was formerly agreed; and that you fayle not of your attendance accordingly.

The Gover^r Adjourned till the 2^d day of the next week.

Entry of the names of the members of Provⁿ Council who were attending in the towne of Philadelphia, on the severall dayes appointed for holding Councils by the Governor, Viz^t:

On y^e 15th of y^e 2^d Mo.; 1689.

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson,

John Curtis,

Samⁿ Carpenter.

Wm. Stockdale,

Wm. Yardley,

On y^e 18th of y^e 2^d Mo., 1689.

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson,

Wm. Stockdale,

Samⁿ Carpenter.

Griff. Jones,

On y^e 22th of y^e 2^d Mo.

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson,

Samⁿ Carpenter,

Wm. Markham, Secre.

Griff. Jones,

On y^e 25th of y^e 2^d Mo.

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson,

Wm. Stockdale,

Wm. Markham, Secre.

Griff. Jones,

On y^e 29th of y^e 2^d Mo.

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson,

Griff. Jones,

Wm. Markham, Secre.

On y^e 2^d of y^e 3^d Mo.

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson, Barth. Coppock, Wm. Markham, Secre.

On y^e 6th of y^e 3^d Mo.

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson, Barth. Coppock, Wm. Markham, Se.

On y^e 9th of y^e 3^d Mo.

. JOHN BLACKWELL, Esq^r., Gover^r.

Barth. Coppock, Wm. Markham, Secre.

At a Councill in y^e Councill Roome in Philadelphia y^e tenth day of y^e third Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

John Symcock,	Jn ^o Hill,	Wm. Yardley,
Luke Watson,	Wm. Stockdale,	Sam ^l Carpenter,
John Curtis,	Jos. Growdon,	Wm. Markham, Secre.
Barth. Coppock,		

There wanting two members to make up a full Legislative Councill, The Councill fell into a free discourse amongst themselves about y^e Expediency of Letting the Laws drop or fall, and some things toaching the administration of y^e Governm^t untill other Laws should be made, or directions should come from y^e Proprietor, &c., out of England. But nothing was concluded, Only To adjourne till 5 of y^e Clock in y^e evening.

At a Councill at the Governor's Lodgeing In Philadelphia, y^e 11th of y^e 3^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

John Symcock,	Wm. Stockdale,	Jn ^o Hill,
Wm. Clark,	Jos. Growdon,	Wm. Yardly,
Sam ^l Carpenter,	Luke Watson,	Wm. Markham, Secre.
Barth. Coppock,	Jn ^o Curtis,	

The Gov^r acquainted the Councill That yesterday, towards evening, two of y^e members of y^e Assembly had signified to him That y^e assembly was mett, and that they had sent them to acquaint y^e Gov^r and Councill therewith, and that they had something to say to them. The Gov^r proposed that y^e Councill would Consider whether

they could appoint a Committee, or do any thing as a Genall assembly untill the Councill were at least 12.

The Opinion was they could not; and it was therupon ordered.

That John Bristow should be written to by y^e Secretary to appeare to give his attendance in Councill by 9 of y^e Clock y^e 13th instant.

Likewise ordered, That y^e members of New Castle be written to, to give their attendance in Councill at y^e same time.

The Gov^r proposed to y^e Councill, That if he thought The freeholders of y^e County of Philadelphia were yet disposed unto a more peaceable frame than at their last meeting, he should be glad to issue a writt for Election of two persons, as had formerly been done; but none gave any advice therin.

Nich. Walne & Edm^d Bennet came from y^e assembly, & sayd They were sent to acquaint y^e Gov^r & Councill That they were mett, & desired to know whether y^e Gov^r & Councill were mett, & were ready to heare what they had to say.

The Gov^r desired them to withdraw till they could Consider what answer to give.

It having being considered, They were called in, and Desired to let the Assembly know That they wanted one of y^e number of y^e Councill to make a Gen^l Assembly; But had sent & would use what endeavors they could to have a full Councill against y^e second day of y^e next week, at nine of y^e Clock in y^e forenoon, w^{ch} was agreed, *nimine Contradicente*, upon y^e Question put.

The Petition of James Walliams was read, & all y^e papers by him presented touching y^e proceedings had at y^e County Court of New Castle, upon y^e Seizure made by y^e Sayd Walliams of severall goods Imported into this Province by Peter Godefroy & Aliens, contrary to y^e Law of England, for the better encouragem^t of Navigation, &c. And upon y^e reading & Consideration thereof by the Gov^r & Councill, it was Ordered That a Spec^l Comission should be issued by the Gov^r to 3 pesons, or any two of them, For the hearing & determining that matter, both as to the Seizure, forfeiture & qualification of y^e Persons importing the Goods in question.

That the Com^{rs} do sitt in Philadelphia y^e 21th of this month: And That y^e Secretary give notice to y^e Playntiff, Def^t, & all persons concerned who shall be named by either of them, that they be in readinesse to attend y^e sayd hearing & for giving evidence therin as the Case shall require; all w^{ch} was agreed, *Nimine Contradicente*. The Gov^r nominated Wm. Markham, John Symcock & Wm. Clark, or any two of them: some of them desiring to be excused, the Gov^r sayd he would settle that as he should think fitt, when y^e Comission was ready.

Adjourned till y^e next Second day of y^e Week, at ten of the Clock to this place.

At a meeting of the Councill at y^e Gov^r Lodging At Philadelphia y^e 14th of 3^d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

Jn ^o Symcock,	Barth. Coppock,	Jn ^o Curtis,
Wm. Clark,	Wm. Stockdale,	Jn ^o Hill,
Jos. Growdon,	Wm. Yardly,	Luke Watson,
Jn ^o Bristow,	Sam ^l Carpenter,	Wm. Markham, Secre.

The Gov^r caused y^e Entryes of y^e two last dayes proceedings in Councill to be read.

The Gov^r acquainted y^e Councill, That y^e Assembly having sent, desiring they might have notice of y^e Councill's meeting, they having some things to impart to them; and That he, y^e Gov^r, had some thing also to say to y^e Assembly touching the Lapse or falling of the Laws, desired they might be sent unto.

John Symcock & Joseph Growdon were sent for that purpose. They returned & brought word they had been with y^e Assembly, and that they sayd they would be with y^e Gov^r & Councill within half an hower.

In y^e meantime, Peter Gronendik's petition was read: And It was agreed a new Comission for the peace & County Court of Kent should be issued. The Gov^r also took y^e names of divers pesons recomend- ed to him by y^e members of Councill to be Coroners for y^e Respective Countyes, & directed Comissions should be prepared.

The Assembly came; and after some pawse y^e Gov^r spake to them according to y^e tenor of y^e words following, viz:

PHILADELPHIA, 14th of y^e 3^d month, 1689.

Worthy Friends & Gent:—

This being y^e first opportunity of your appearing together in this Assembly since my arrivall, I hold it necessary in a few words to in- forme you of my errand amongst you.

Having received a Comission from the Honb^{le} William Penn (The true & absolute Proprietary & Cheif Gov^r) for y^e Governm^t of this Pro- vince & Countyes annexed, under him & his heirs, I undertook y^e journey from Boston in New England, hither, about the later end of y^e last ninth month, and upon my arrivall presented myselfe to those whom I found in authority, Giving them a view of my Comission; (who voted their acquiesceing therewith,) and being thereby Referred (for my instructions & Guidance) to their Comissions, & such instructions as y^e Proprietor had formerly given them, and y^e Laws of this Pro- vince which he had past, I requested a view of them; and thence- forth made it my study to become instructed in my duty by them, and have accordingly acted to y^e best of my understanding. But, It has been my great unhappinesse to meet wth unexpected opposition therin.

Gent., I shall not appologize for myself further than by telling you:

1. That I Sought not to Rule over you: It was from y^e meere good will & pleasure of y^e Honb^{le} Proprietor, (my worthy friend,) and I hoped it would have ended before this time.

2. That Being Resolved of undertaking it for a time, I also designed to do it wth all imaginable respect to him & yourselves.

3. That I have endeavored so to demean myself therein as I doubt not (when my master shall receive the acco^t of what has past since my arrivall) it will be sufficiently evidenced, That I have acted according to my Comission & instructions from him.

4. That in Expectation of his arrivall, (w^{ch} God grant suddainly, if it be his will,) I shall wayt for my vindication against y^e malevolence of my opposers.

I suppose you have been formerly acquainted with y^e reasons & necessity of y^e Proprietor's absenting himself so long from you, as till the late Revolutions in England. He hath frequently evidenced his strong desire above all things to be restored to you.

What hath hinderd of late we have from divers Reports of things transacted in England, w^{ch} require we should wayt for their being renderd more certaine; and in the mean time strive in our prayers, That the Lord who Gov^s this universe will do it in wisdom and Good will towards all his suffering people, and ourselves in pticular.

I suppose, Gent., You expected some bills should have been sent downe to you from y^e Prov^l Councill, for y^e Consideration before your coming up & passing them into Laws at this meeting.

Divers reasons may be given why none were. I shall acquaint you with some of them, Viz:

1. The Honb^{le} Proprietor (for reasons known to himself) hath given possitive directions for letting all the Laws drop or fall, Except the fundamentalls. And afterwards, for calling together the Legislative authority to passe such of them, or others, as they should think fitt, for the future: (w^{ch} is my full intention to do.)

2. The Honb^{le} Proprietor being by his patent from the King, authorized by himself & his heirs, &c., (with consent of y^e freemen,) to make, and (under his seale) to publish necessary Laws for y^e good of the people; (w^{ch} had never been done, with all requisit circumstances, whilst himself was here, and without w^{ch} I much doubt whether what were past, or should hereafter be past, have that due sanction or establishm^t w^{ch} Laws require;) and finding the Great Seale, under which they should passe, was not to be had, (the Keeper thereof refusing to allow the use of it in any cases, by my direction,) I therefore lookd upon it as labour in vayne now to attempt it.

3. The present posture & alteration of affayres in Engl^l. The uncertainty touching y^e Condition of y^e Proprietor himself and his power; and y^e fears of what danger might ensue, as well to him as to our selves, in passing & confirming laws of such a nature as would have been approved of in this conjuncture of affayrs, forbad it.

4. The animosities and dis-sentions w^{ch} were here amongst you before I came, and have been lately Revived amongst the members of y^e Prov^l Councill, by y^e indeavor of some; as to their proceedings in y^t service hindred their agreem^t in Councill as to doing any thing, In so much as I was constraind for Love & peace sake, upon that and y^e other foregoing considerations, to dismisse them from further attendance on y^t account.

3. That Being Resolved of undertaking it for a time I also design-
ed to do it wth all imaginable respect to him & yourselves.
2. That I have endeavored so to demean myself therein as I doubt
not (when my master shall receive the news of what has been since
my arrival) it will be sufficiently evidenced, That I have acted ac-
cording to my Commission & instructions from him.
4. That in Expectation of his arrival, (w^{ch} God grant suddenly,
if it be his will,) I shall wait for my vindication against y^e misrepre-
sentations of my opposers.

I suppose you have been formerly acquainted with y^e reasons &
necessity of y^e Proprietor's absenting himself so long from you, as
till the late Revolutions in England. He hath frequently evidenced
his strong desire above all things to be restored to you.

What hath hindered of late we have from divers Reports of things
transacted in England, w^{ch} require we should wait for their being
rendered more certain; and in the mean time strive in our prayers,
That the Lord who Gov^{ns} this universe will do it in wisdom and Good
will towards all his suffering people, and ourselves in particular.

I suppose, Gent^l, You expected some business should have been sent
down to you from y^e Prov^l Council, for y^e Consideration before your
coming up & passing them into Laws at this meeting.

Several reasons may be given why none were. I shall acquaint you
with some of them, viz:

1. The Hon^{ble} Proprietor (for reasons known to himself) hath
given positive directions for letting all the Laws drop or fall, except
the fundamentals. And afterwards, for calling together the Legisla-
tive authority to pass such of them, or others, as they should think
fit for the future: (w^{ch} is my full intention to do.)

2. The Hon^{ble} Proprietor being by his patent from the King, au-
thorized by himself & his heirs, &c. (with consent of y^e freemen)
to make, and (under his seal) to publish necessary Laws for y^e
good of the people; (w^{ch} had never been done, with all requisite cir-
cumstances, whilst himself was here, and without w^{ch} I much doubt
whether what were past, or should hereafter be past, have that due
sanction or establishment w^{ch} Laws require;) and finding the Great
Scarcity under which they should pass, was not to be had, (the Keeper
refusing to allow the use of it in any case, by my direction.)
I therefore look upon it as labor in vain now to attempt it.

3. The present posture & situation of affairs in Eng^l, The un-
certain touching y^e Condition of y^e Proprietor himself and his power;
and y^e fears of what danger might ensue, as well to him as to our
selves, in passing & confirming laws of such a nature as would have
been approved of in this conjuncture of affairs, forbids it.

4. The animosities and dissensions w^{ch} were here amongst you
before I came, and have been lately revived amongst the members of
y^e Prov^l Council, by y^e endeavor of some; as to their proceeding in
y^e service hindered their agreement in Council as to doing any thing
in so much as I was contraind for Love & peace sake, upon that
and y^e other foregoing considerations, to disunite them from further
attendance on y^e assembly.

5. An Expedient occur'd to me of Lesse danger to us all, Viz: That I being by my Comission as afores^d, Referd for my Rule & instruction to y^e Laws then in being, & w^{ch} had been (as well by the Proprietor as y^e people,) approved & owned as such whilst he was amongst you here, and observing y^t he had Reserved y^e Confirmation & disannulling of what Laws should be made in his absence to himself, so that if any were or should be proposed, they could not take effect among us as laws till his pleasure should be therein declared, I came to a Resolution within myself, of observing them in y^e Course of my Governm^t as so many Rules & instructions given me by my Master, (as farr as I should finde or judge them not contrary to y^e Laws of Engld,) and of supplying y^e defect or want in y^r Laws by y^e Laws of England, w^{ch} I believe will be most gratefull to Our Superiors in England, Especially at this time; and will be as usefull amongst ourselves; there being no other way (occurring to my understanding) whereby you may receive y^e benefit of them. And in this purpose I remayne Steady, (Unlesse you shall otherwise advise,) untill by better information out of Engld we shall be led out of these State-meanders.

Gent., I assure you that I will (as farr as I judge I may wth a good conscience) manage myself in Governing you agreeably to y^r Charter from y^e Proprietor, & the Rules & instructions of your Laws; (if I may be sufferd to do;) and where they are defective, according to y^e King's Letters Pattents, having a due regard to your Principles, (as I am instructed by my Master,) till God shall be pleased otherwise to direct & cleare our way to us all; whose duty it is (as becomes Christians) in all things to attend & readily comply with his will. I say I will (as farr as I judge I may with a good conscience) so manage mysef in Governing you, &c.

Then Gent. Let reason & not passion or prejudice, (through any mis informations,) influence you. I pray God direct us all therein; That we may in this our day, know the things that make for our peace; Least they be hidden from our eyes and wee (too late) Repent & say, we were advised but understood it not.

I assure you nothing shall be wanting on my part, wherein I may justify a compliance with any thing you shall reasonably desire. But I expect y^e same Liberty & exercise of my judgem^t & conscience as you do. I am sure you will Expect no more from me, for I take it for granted, this is a fundamentall Rule with every one of you, To do to others as you would they should do to you. When I fayle to walk according to this Rule, My Master will not let me be any longer y^r Governor.

Gent. I will only adde this, That as soon as we have certayne intelligence from Engld I will advertize you; and (if the Councill shall so advise) will call you together, in order to your being as early in bespeaking the Countenance of y^e Authority over us, to indulge us in our differences from others, as may be expedient, and will cordially joyn with you therein, if you shall desire it, That you may have as large privileges & exemptions as shall be judged reasonable to desire.

Now if these things I have sayd will not please you, I can say no

more; but Go on and prosper in your owne Sentiments, and if you suffer by so doing, I shall be sorry your breach fell out in the time of my Government over you. But The will of God be done, with which I end at this time.

Arthur Cook, in y^e name of y^e Assembly, desired a copy of y^e Gov^r Speech. He granted it them.

Arthur Cooke made a Speech, and afterwards offerd a paper, directed to y^e Gov^r & Prov^l Councill, sitting at Philadelphia y^e 14th of the 3^d month, 1689, w^{ch} was Read, but nothing Resolved on about it: it conteyning some of the heads of things discoursed between y^e Gov^r & him before.

The Gov^r desired a Copy of y^e sayd Arth. Cook's Speech might be given in to him in writing; which was Promised by y^e sayd Arth. Cook.

Arth Cook moved a Committee of y^e Councill might be appoynted to conferre with. The Gov^r answerd he found no cause for it from the Charter, there being no laws to be conferrd about. But sayd himselfe would be alwayes ready with the Councill, (if he could get the Councill to attend,) w^{ch} he declared would be as well

The Gov^r proposed an adjournm^t of y^e Councill till to morrow morning, 9 of y^e Clock. Severall of y^e members desired it might be held at y^e place called y^e Councill Roome. The Gov^r answerd it was to straye & close for him this hott weather, That it was not large enough to receive y^e Assembly. That therefore, he should continue his resolution of adjourning to y^e same place. Some intemperate Speeches past from some about it, intimating as if they had a joynt power in appoynting the place. One asked him by what authority he took it upon himselfe. He replyed by virtue of his Comission from y^e Proprietor & the Charter & lawes, w^{ch} required the members of y^e Councill should attend him & not he them. Another affirming the Gov^r dealt not fayrly with them, &c. w^{ch} he reprovred, saying he was sorry he understood no better; and adjourned accordingly to y^e same place to morrow morning, the 15th of this 3^d month, 1689.

At a meeting of the Councill at the Gov^r Lodging at Philadelphia, the 17th of the 3^d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

Luke Watson,	John Hill,	Wm. Stockdale,
Sam ^l Carpenter,	Jos. Growdon,	Jn ^o Curtis,
John Symcock,	Wm. Clark,	John Bristow,
Barth. Coppock,	Wm. Yardley,	Wm. Markham, Secre.

The Entry of the Last Councill's proceedings were Read.

The Gover^r acquainted the Councill That y^e end proposed for meeting at this time was, That if that w^{ch} he had formerly mentioned to them touching the issuing of some Declaration for y^e Continuing y^e

Laws formerly past by the Prop^r to be of y^e same force as now they are, & for acting accordingly in all administrations & Courts of Justice, untill we should hear from England, might be allowed for an Expedient as touching y^e dropping or falling of y^e Laws, he should be willing, upon their advice, to concurre therein.

M^r Markham declared his readinesse to give his hand to it.

John Symcock sayd, while y^e Laws are in power there is no neede for that.

Wm. Clark. It is a Question with some, & also with my selfe, that it may not be safe for y^e Justices to act by these Lawes after the Assembly is broke up & y^e 20 dayes expired; So that if this method should be taken, there may not be magistrates found to keep the peace of y^e Governm^t. It would seeme to be a scruple to me to act after y^e 20 dayes are expired, after y^e Assembly is broken up, for if after there came an alteration of y^e Governm^t, those psons y^t finde themselves agrieved may bring us into Question for our actions when we had noe Lawes for it, or but pretended Laws.

John Symcock. The Question may be whether y^e way of a Declaration propounded by y^e Gov^r can make it safe to act upon y^e Laws.

Governor. Such actings, though not in all poynts justifiable, yet being necessary untill Laws can be duly past: (w^{ch} cannot be without the Prop^{rs} confirmation:) an act of indemnity & confirmation of all judicall proceedings in Courts need not to be doubted; Governm^t being necessary.

Joseph Growdon. It is supposed That y^e Laws formerly made were good before y^e Gov^r had confirmed them: and we suppose the Laws are in force as they are, if we will consent to y^e adjournm^t of y^e Assembly; therefore, 'tis my opinion, That y^e Gov^r & Councill consent to y^e Assemblyes adjournm^t. If we go in any other way we had as good do nothing; possibly we may never be indemnified. Concerning y^e Dropping of them we should be ready to acquiesce in any thing y^e Gov^r Comends; But if he do put any thing y^t we cannot concurr in, we hope we shall be Excused.

John Hill: If a bill or declaration were prepared for allowing all y^e Laws past by M^r. Penn till further order, it may be as sufficient.

Wm. Clark: nothing we can do till Gov^r Penn shall approve them can give life to them.

Wm. Markham. I can not conceive why we are so fond of these laws. If they be not confirmed we must be governed by y^e Laws of England, w^{ch} are agreeable to y^e Common law, & are but Explanations of that; & what are our Laws more than declarative of that.

Wm. Stockdale. The Assembly may adjourne themselves. It is my Judgm^t y^e Laws may thereby be preserved as they are, & that so we may act safelyer by them than if they were Lett drop & confirmed by a declaration.

Sam^l Carpenter was of y^e same minde.

The Gov^r sayd, That y^e adjourning of y^e Assembly by their owne act does not seem to him to be any way countenanced, either by y^e

Charter or by his Comission or instructions, or y^e Laws of this Province. But for as much as by his Comission & instructions y^e Laws were appoynted to be his Rule of his Governm^t, he was satisfied to Joyne in a declaracon for the administring justice according to them, & their being of like force as now they are till they should heare further from England, as he had declared in his Speech to y^e Assembly; and doubted not but y^e Proprietor would approve therof, & that if it were an Error, he would passe an act of Indempnity, as was usuall in such imergencies; and that therefore, if they could not consent thereto, or finde some other way, he must end that debate: he judged y^e continued sitting or adjourning of y^e Assembly to be of dangerous president & consequence.

John Bristow. My opinion is, that for as much as y^e Laws have been all along uncertaine of y^e assurance & strength requisit, yet all along have been practiced & the people governd by them; in as much as it falls out that after 20 dayes they are voyd, I think it necessary & convenient y^t y^e Gov^r & Councill & assembly Joyne together to issue a declaration to y^e Magistrates, that those Laws that have been made & confirmed from y^e begining, & practiced, shall still continue & be in force till there be further order from y^e Proprietor.

The Gover^r said: He has spoaken my minde, & I am ready to do it, or any thing else that I can be advised, wherein I can pursue my instructions.

Luke Watson. These Laws, after 20 dayes, are no laws, & we can give them no force, but they must of necessity fall, & we must be governd by y^e Laws of England at present.

John Curtis. The Continuance of y^e Assembly gives life & keeps life to them, wheras after y^e rising of y^e Assembly they must of necessity drop, & all y^e Laws & ordinances that can be made will signify nothing, but we must flye to y^e Laws of England, & it will come upon us to be sure.

Barth. Coppock. I cannot understand That we can act safely under any things but under y^e Law; not under any ordinance or declaration, if they drop or fall, because they have not that publication which the Laws by y^e Charter ought to have.

Jn^o Hill. I do not think y^e Assembly can be adjourned, but y^t we may have recourse to y^e Laws of England in matters to prserve y^e Peace.

Jn^o Bristow. This time 2 years, upon a neare like occasion, Orders were sent to y^e Justices, &c., & I conceive we may do y^e same now.

Wm. Clark, By way of accomodation, proposed That we might agree upon some Instrum^t or declaracon to impower y^e Magistrates to act by y^e Laws that are now in being, & that it be left to y^e discretion of y^e ministers of Justice where they see cause to act by y^e Laws of England, & not to be tyed up wholly to the one or y^e other.

The Gover^r & severall of the Members declared, that would leave things at great uncertainty, so that neither the people nor y^e Magistrates would know what to do.

The Petition of y^e Inhabitants on Brandiwine River or Creek, against y^e damn made upon y^e Creek, w^{ch} hinder y^e fish passing up, to

y^e great damage of y^e inhabitants, was read; and upon debate, it was thought fitt a time should be sett for giving notice to them y^e were concerned on both parts, that they should make good y^e Petition & they should be heard; but y^e time was not agreed.

Adjourned till y^e 2^d day next week, between 9 & ten of y^e clock, at y^e same place.

At a Councill at the Goverⁿ Lodging at Philadelphia y^e 20th 3^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

John Bristow,	Jos. Growdon,	Sam ^l Carpenter,
John Symcock,	Griff. Jones,	John D'Haes,
Wm. Yardley,	John Hill,	Peter Alrichs,
Barth. Coppock,	Jn ^o Curtis,	Wm. Clark.
Wm. Stockdale,		

The Secretary not being present, y^e Entry of y^e Last Councill's proceedings were not read.

Joseph Growdon acquainted y^e Gov^r That there were some members of y^e Assembly attending from them.

They being called in, acquainted y^e Gov^r & Councill That they were sent from y^e Assembly wth y^e paper w^{ch} they had formerly presented unsigned, w^{ch} was now signed by y^e Speaker.

The Gov^r asked them when they were sent with it.

One of them answerd: It was signed presently after it was returned to them, and that they had attended to have deliverd it, but y^e Councill was not sitting.

The Gov^r tould him That was not an answer to his Question, for he sayd he heard there was no Assembly sitting these two or three dayes past, and if So, he knew no use could be made of it, at this board. Wherupon they presented another paper, touching John White's being imprisoned, being a member of the Assembly, & took upon them to desire their griveances might be Redressed, one of them saying, They were abused in that the members of Prov^l Councill were not sufferd to sitt.

The Governor tould him, That none were hindred who had been duly Returned as duly Elected, save one who was charged with very high Crimes & misdemeanors, w^{ch} renderd him uncapable, and tould him That Expression was unfitt to be used before him. Also, that they were not judges of y^e Councill's proceedings or members, nor could they receive any informaons. Himselfe & the Councill together were the Sole judges.

He Replyed, Then they must flee to their old Charter, &c., for this was not according to what was promised them by y^e Governor in England; and they would maintayne their libertyes as English men, &c.

Upon w^{ch} y^e Gover^r bade them take their papers back to them who sent them, for it was not fit for him to Countenance such proceedings as would probably subvert y^e Governm^t & turne all things into Confusion. He was appointed to Governe them by y^e Charter, & Laws made therupon, & was resolved to Execute his office accordingly.

Joseph Growdon, a member of y^e Councill, bade them not to take y^e papers back. Upon which,

The Gover^r took them & put them into his pocket, till he could be more certainly advertised whether the Assembly were in being or not, and dismiss them. They being gone, Joseph Growdon, (whispering of Wm. Yardley, and takeing that Liberty in Councill to go from one to another, out of his place, for that purpose,) Wm. Yardley stood up in his place, & said: It appears to me there was an Assembly; and for as much as we are a people that are of meane education, sometimes our Speech appears to be very Rude, & memory weake, & therfore, We desire to present some things before thee; and tenderd a paper folded up.

The Gov^r (apprehending there might be some thing in it of like tendency to what Expressions had past in Councill since y^e coming back of Tho. Lloyd, who he heard had, with some of y^e members of y^t board, beene that forenoone very busy in consultation wth y^e remayning members of y^e Assembly, & had renewed the former dissentions and annimossities amongst y^e members of y^e Councill,) was not hasty to receive, nor did think fitt to open that-paper at present, and whilst they were debating whether to read it or not, the whole designe was made manifest By y^e Coming in of Tho. Lloyd, John Eckley & Sam^l Richardson, (without giving notice of their businesse.)

The Gov^r therupon stood up and desired to know what their pleasure was.

Tho. Lloyd answerd they came to pay y^e Gov^r their respects & to sitt in Councill, and inlargeing on y^t Subject,

The Gov^r tould them, He had formerly at severall times declared himself touching y^t matter: that they could not be admitted to sitt there till himselfe & y^e Councill were satisfyed and had agreed it; and therfore desired they would withdraw & not interrupt y^e present businesse & debates by their Staying in y^e Roome, for he could not admitt a a proceeding therin whilst they were present.

Tho. Lloyd persisting in his demand of sitting there, saying he had the Gover^rs Letters making him a Councillor, w^{ch} was as good as y^e Gov^rs Comission.

The Gov^r told him he had never seen any such Letter, nor did he ever think fitt to give him any attested Coppy of it. (if there were any such.) He replyed he would let him have it: and pursuing his demands of sitting, & some of y^e members of y^e Councill severally and tumultuously crying out I am for it: & I am for it, &c.,

The Gov^r declared y^e Councill to be adjourned till y^e next councill day, viz: to y^e fifth day of y^e same week, at nine of y^e Clock, at y^e same place; and Rose up out of his place to depart accordingly: upon w^{ch} severall of y^e members of y^e Councill departed. But divers

remayned, and a great deale of confused noyse & clamor was Expressed at & without the doore of y^e Gov^r roome, where y^e Councill had sate, w^{ch} occasioned persons (passing by in the Streets) to Stand still to heare, which y^e Gov^r observing, desired y^e sayd Tho. Lloyd would forbear such Lowd talking, telling him he must not suffer such doings, but would take a course to Suppresse it, & shutt y^e Doore. So he went away, attended wth severall of y^e members of y^e Councill, others staying behinde wth y^e Governor.

At a Meeting of the Councill at the Gov^r Lodgeings in Philadelphia y^e 23th of 3^d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

Wm. Clark,

Pet. Alrichs,

Barth. Coppock,

Jò. D'Haes,

Griffith Jones,

Wm. Yardley,

John Hill,

Sam^l Carpenter,

Wm. Markham, Secre.

Luke Watson,

The Gov^r directed That the Entryes of the proceedings in Councill y^e two Last dayes of their meeting should be read by the Secretary. They were read.

The Gov^r proposed, That for as much as the Assembly had discontinued their sitting, & were gone, they would take into Consideration the preparing & issuing of some Declaration in the name of the Gov^r & Councill, as he had severall times moved during their Sitting, for continuing the Laws past by the Prop^r before his going for England, to be of the same force as now they are, untill we should heare further from thence.

Wm. Clark said: What y^e Gov^r has proposed is very necessary, for it will be of very ill consequence to Lett the Laws wholly fall, & have no Laws of our owne to be governed by. Most are Strangers to other Laws; These we are acquainted with. It would therefore be of great service, since we can not have y^e Assemblye's concurrence, that they be passed as the Gov^r proposes, by a Declaration issued in the name of y^e Gov^r & Councill.

Wm. Markham. Had we not mett With such interruption as we did, We might have had a body of Laws fitted for us when we first came together as a Legislative Councill for preparing them: But now we have been put into such distractions, as our Laws must continue in the same distracted forme or not at all. But since it is the desire of y^e People y^t the Laws should so continue, though the Prop^r have directed the Letting of them fall for the psent, & afterwards preparing new Laws, I have requested the Gov^r y^t they may be continued with as strong force as may be; and you See the Gov^r is ready, & only wants y^e Consent.

Gov^r. I have often proposed it, and will proceed in my Governm^t according to y^e Rules of y^e Charter, and all the Laws made before

the Prop^r going for England, whether you shall think fitt to passe a Declaration or not, being by my master directed so to do; Save only wheras one of those Laws requires that Comissions for constituting of Prov^l Courts & Judges should be past under y^e Great Seale, (wth y^e Keeper will not allow,) I shall reserve a Liberty to passe such Comissions under y^e Prop^{rs} Lesser Seale.

John Hill. I agree to what y^e Gov^r proposes, for acting by the Charter & Laws made, and think it is fit, since the Keeper will not permitt y^e use of y^e great Seale, that they should be past under y^e Lesser Seale, for it's necessary y^t Prov^l Judges be appoynted for appeales, &c.

Wm. Yardley. I desire time for further consideration. Though it has beene before us, We have not had yⁱ due consideration, & we have not a full Councill.

Governor. I can not helpe it that y^e members will not give their attendance; they all know of this dayes meeting & y^t the Councill was adjourned to this time & place. I know by too sad Experience, what's meant by desiring further time for consideration: 'Tis nothing but time to consult without doores with those y^t have allways obstructed our proceedings, as to doing any thing that's good for y^e people. It has been allready debated, & every man been suffered to speak his minde at large, & we might have brought it to an issue at last meeting had we not been interrupted as then we were, by y^e coming in of others, &c.

Wm. Clark. We had been heard; and I desire we may not be detayned any longer. I desire y^e thing may be put in to y^e speediest way to give satisfaction to y^e people y^t sent us hither.

Sam^l Carpenter Proposed to Receive a paper.

The Gov^r Refused it, saying, he would not admitt of any interruption to this debate, till it were over; telling him he had heard it was unduly hatch'd by y^e late President & some of y^e members, with y^t remayning part of y^e Assembly, w^{ch} was a course not to be countenanced; It behoved the members of y^t board have been present & declared their mindes, & given their assistance in this weighty matter under consideration; and that he had adjourned for that occasion to this time on purpose.

Wm. Markham. I am against making protests one against another. Let us have a friendly debate at y^e board of what's before us for our Consideration.

Wm. Yardley. I am very much for y^e preservation of y^e Laws: and rather than this opportunity shall passe, I am for it.

Sam^l Carpenter. I think y^e Assembly might be had.

Gov^r. They have dissolved themselves, w^{ch} though it were not Legally done in all usuall circumstances, yet they are thereby become felones de se, as to their power of present sitting, and y^e Gover^r declared he did not see any reason to contrive their Sitting on this occasion; they were so divided amongst themselves as that a very great part of them had protested against their proceedings, & withdrawne as being ashamed of their doings.

Clark, Yardley & Coppock. Leave the thing as it is.

Wm. Markham. I did Scruple y^e thing of confirming y^e Laws by a declaration when first proposed, But some reasons that have since come to my minde, & specially considering we are not making new Laws by it, and for as much as we were disturbed when we were about that, & could not proceed, I am now of another minde. The Assembly could not but have said I or no, &c.

The Question about it being called for, was thus Stated & agreed, Viz: As many as are of opinion That a declaration be prepared agreeable to y^e debates at this board, to be issued in the name of y^e Gov^r & Prov^l Councill, for continuing y^e Laws formerly past by the Proprietor, in y^e same force as now they are. untill we shall receive orders out of England about y^e matter; & that in y^e meantime, All Officers, (Viz: Justices, Sheriffes,) &c., be required to act in their Severall Stations & Capacities in all their proceedings & doings, according to y^e Charter & those Laws, wth this Proviso, That y^e Gov^r may issue Comissions for Prov^l Judges under y^e Prop^{rs} Lesser Seale, declare y^e consent by standing up in y^e severall places. Wherupon all y^e members prsent stood up, Except Sam^l Carpenter.

The Question being put in y^e negative, The s^d Sam^l Carpenter stood up allone.

The Gov^r proposed a Committee might be named for drawing up such declaraon, Which was agreed; & That Wm. Markham, Wm. Clark & Wm. Yardley, or any two of thēm, should be the Committee, & should withdraw: the Councill were Sitting till their returne.

After about an hower's space, the Committee brought in & Reported their draft of a Declaration, signed by all three of them.

The sayd Declaration was three times read, debated & spoken to: some alterations were in the debate proposed & agreed on. And upon y^e Question put, Viz: As many as are of opinion That this forme of Declaraon brought in by y^e Committee, as now it stands altered, shall be issued, according to the intent of y^e foregoing Resolve, and sent into each County, to be there published as y^e Act of the Gov^r & Councill, at there respective County Courts or meetings, Declare your assent by standing up in your places. Wherupon they all stood up Except Sam^l Carpenter.

The Question being put in the negative, The s^d Sam^l Carpenter stood up allone.

Afterwards, The Governor & all y^e members of y^e Councill present (Except Sam^l Carpenter) signed y^e Sayd Declaration, being about two of y^e Clock afternoone, which is as followeth, Viz:

A DECLARATION:

By the Governor and Provinciaall Councill of the Province of Pennsylvania and Counties thereunto annexed.

Wheras, We have just cause to suspect that some persons have indeavored to suggest and insence y^e minds of the good people of this Government, That the Governor and some of the members of

Provinciall Council have had a designe or intent to subvert and overturn this frame of Government, and to make voyd the Charter of Liberties and Privileges which the Chief Governor and Proprietor hath been pleased to Grant unto Us and our Successors; and that they have also designed and intended to make voyd y^e Laws of this Government, which have been (at so great trouble, charges and expences of the Proprietor and People) made for the preserving of the King's peace, and y^e mantaining of our Properties and privileges, and so to Rule by an Arbitrary Power; We do therefore think fit to declare, and we do hereby Declare, That We never had any such thought or intent, But were allways fully Resolved to Keep and preserve the same, as much as in Us Lyes; and should have been very ready to have joyned with the Assembly in the confirming of a Law for that purpose.

And for as much as that hath been obstructed or omitted, We have thought fit to Declare, and We do hereby Declare, That all the Laws past and agreed on by the Proprietor and Chief Governor, and Freemen in Provinciall Council and Assembly, made before the Proprietor's going for England, shall be, continue and Remayn in the same force as now they are, untill We shall Receive Orders out of England about or concerning that matter; With this Proviso: That the Governor may issue out Commissions for Provincially Judges, under the Proprietor's Lesser Seal: and That in the meantime, We do hereby Require and Command all Officers of this Province and Counties annexed, that they, in their severall Stations and places, do Act in all their proceedings and doings according to the Charter and Laws made by the Proprietor and People, as aforesaid, untill further Order. Given at Philadelphia, the three-and-twentieth of the third month, Anno Dom. 1689.

JOHN BLACKWELL, Gov^r.

Peter Alrichs,	}	y ^e Committee.
Griffith Jones,		
Luke Wattson,		
Barth. Coppock,		
John Hill,		
John D'Haes,		
Wm. Markham,		
Will. Clark,		
Will. Yardley.		

Wherupon y^e Governor acquainted the Council he had nothing further to propose to them at pesent; and that, (although he might not dispence with their Charter-attendance, not knowing what might fall out on a suddaine,) Yet he saw no encouragem^t to call them together oftener than necessity required, they being grown into such ffactions as he could Expect little assistance from them: That he would therefore Governe them in all points according to the Charter & Laws, as they had declared, so farre as he might act as Governor without them, untill he should heare further from England; and if any urgent occasion required it, he would give them notice therof. In the meantime adjourned them till further Order.

The Gov^r having on y^e 16th day of y^e 6th Mo., 1689, Rec^d a Letter from Joshua Barkestead, dated Talbut County in Maryland, the 8th of August, 1689, Directed y^e Secret^r forthwith to issue Orders to the respective Sheriffs to Sumon all the members of y^e Prov^l Council to appeare in Councill in Philadelphia y^e 28th day of y^e s^d 6th month, 1689, which was done accordingly.

At a Councill at the Gov^r Lodginge in Philadelphia, y^e 28th 6th month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

John Symcock,	Barth. Coppock,	John Hill,
Sam ^l Carpenter,	John Curtis,	Wm. Markham, Secre.
Griffith Jones,		

The Petition of Robert Turner, Benja. Chambers, &c. in behalfe of themselves and others, was Read, Requesting an ord^r for y^e Laying out a Road from Philadelphia to Bucks County, &c.

Wherupon it was Ord^d y^t Rob^t Turner, Benj. Chambers, Jos. ffisher Sylas Crispin, Tho. ffayreman, Rob^t Addams, with a Survey^r, wth what Convenient Speed may be, do sett out a Cart road according to Statute.

The Petition of Tho. Clifford, for satisfying 5 years Service as Doore Keeper & messenger of y^e Councill was read, and Referred to a fuller Councill.

Adjorned till 9 to morrow morning.

At a Councill held at y^e Gov^r Lodginge in Philadelphia y^e 29th 6th Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Gov^r.

Sam ^l Carpenter,	John Hill,	John Bristow,
Griffith Jones,	Peter Alrichs,	Barth. Coppock,
John Curtis,	John Symcock,	Wm. Markham, Secre.
Wm. Clark,		

The Petition of Tho. Clifford was againe Read.

The before named members of Chester, viz^t: John Symcock, John Bristow & Barth. Coppock, promised to pay 20^s in part of 6lb. Wm. Clark & John Hill y^e like 20^s for y^e County of Sussex. And upon debate, Ordered y^t a Letter be written to y^e Gent: of y^e County of Bucks as from y^e Gov^r & Councill, desiring them to do as all y^e other Countyes have done, in advancing each County 20^s on this occasion.

Ord^d That besides y^e sayd six pounds formerly directed and advanced as afore sayd, there be 40^s more, viz: 31b^s in all, layd on each County at their next Levyes, to be payd to y^e s^d Thomas Clifford, in full satisfaction of all his claymes & demands whatsoever, to be returned by y^e respective Sheriff's, & that it be recommended to y^e respective Justices to order and forward the same accordingly.

Agreed nemine Contradicente.

Adjourned till 3 of y^e Clock in y^e afternoone, p^r cize.

POST MERIDIEM.

Present the same pesons as in y^e forenoon.

The Gov^r acquainted y^e Councill, That y^e reason of his calling them together at this time was to minde them that there had been formerly severall Rumors of danger from y^e french & Indians, in conjunction with y^e Papists, for y^e Ruine of the Protestants in these parts, and of y^e alarme formerly given, as if 9 thousand french & Indians were then neare approaching for y^e purpose, upon w^{ch} y^e Justices & Sheriff's of y^e two Lower Countyes, with y^e people thereof, had betaken themselves to armes for their defence; wherof he then gave y^e Councill an account, from y^e Letters he rec^d out of y^e s^d Countyes: as also, of a Letter he had rec^d from one Cap^t Le Tort, (a french man, living up in the Countrey,) agreeing therewith; which they did not see any reason to give heed unto: And further, to acquaint them y^t he had lately rec^d a letter from M^r. Joshua Barkstead, out of Maryland, advertising there was sufficient proof that y^e Papists in Maryland had been tampering with y^e french & Northern Indians, to assist them to cutt off y^e Protestants, or at least to reduce them to y^e See of Rome, &c., which Letter was read in Councill: adding an account thereto of y^e Cruelties & barbarous usage of y^e french Indians upon y^e people of New England; murdering about 100 persons, burning houses, & plundering y^e people of their goods & Cattell, &c., and (using y^e Proverb) that there was no smoak without some fyre. That these things might be Expected to come suddanly upon us, as well as our neighbours. That his office was to be their watchman, & he durst not conceale the Knowledge of these things, Without acquainting them & receiving their opinions & advices what was fitt to be done therein for their security, and settling the mindes of y^e People, who in some places, (pticularly in New Castle,) upon the apprehension of feare from these things, had been very much disquieted & taken themselves to armes, but were quieted by the Justices of that County residing amongst them. He also acquainted them, That divers of the inhabitants of New Castle had declared themselves unsatisfyed That King Wm. had not been proclaymed as in other Countyes, & that y^e same had been signified to him by M^r. John Cann, By whom y^e Gov^r sayd he had sent them word; he had not rec^d any orders for y^e doing it, nor did he know in what manner or tearmes it was to be done, having never seen any proclamation for that purpose; and that he feared he might either Exceed or fall short of the titles ought to be given him, which would (he thought) be treason in either case; That he Expected y^e first ship out of England would bring orders about it, and y^e

upon receipt therof, he would do as he should be directed. That having called y^e Councill to advise him in these cases, he had nothing else to trouble them about at this time; but if any damage should happen to them for want of what informacord he had rec^d he knew he was responsible to y^e King & state of England, (to y^e hazard of his life,) if ye Province should be invaded & lost out of his Maj^{ty}s Dominions: & Therefore, prayed they would be very Serious & Solemne in giving him their opinions & advices what they thought of these informations, and what they would have him do therein, for that he knew he could do nothing without their assistance, but suffer with them, which he feared was neare at hand, &c.

Wherupon Peter Alrichs gave an historicall acco^t of y^e proceedings of y^e Mohawks in the yeare 1665, Concluding he did not think they were any great number, or that there was cause to be affrayd of them, &c.

Wm. Clark sayd: he beleived some thing might have beene heretofore intended of such a nature as was suggested, but that being frustrated, he believed that designe is wholly dead; neverthesse, that he thought they were obliged to y^e Gov^r for signifying these things to them.

John Symcock sayd: he did not see but that we are as Safe, Keeping peaceable, as those that had made all this strive.

Griffith Jones sayd: he saw no cause of danger if we can but Keepe quiet among ourselves.

John Bristow sayd: he saw no need of raysing forces, for he saw no danger; But that he looked upon it as the privilege of the people to have their members psent if there be. (so also sayd John Symcock.) To w^{ch} y^e Gov^r replyed he had given order to have all such as were allowed members of y^e Councill to be Summoned; but if they refused to come he could not help it. He must & would be satisfied with y^e opinion & advice of such as were psent.

John Hill sayd: He had spoken with very eminent knowing men, & saw no likelihood of danger.

Sam^l Carpenter sayd: he had spoken with two psons that came from Maryland, who did not believe what was talked; that he did not feare any thing from any news we had thence, and y^t he was of opinion wth John Bristow, for having all their members present.

Barth. Coppock sayd: the news was new to him, & it did not appeare to him that we are in any danger [at psent] by the Indians, or papists either: and was of the same opinion about having all their members psent.

John Curtis sayd: he had heard a great while of these things, But they signify nothing but a Rumor: as for y^e Indians, they are quiet, & for his owne perticular he had no feare upon him, & that he was of the same opinion about having all their members psent.

Wm. Markham sayd: he apprehended That to speak of danger from y^e Indians would but skare y^e women & children; and that our Constitution will not admitt us to defend ourselves. The only way is to forbear all thoughts or seeming fears of the knowledge of it; for that will represent us as people frightened, &c., unlesse we were

under such a Constitution of Governm^t as to take to armes, to be ready upon occasion if any thing should come. And as touching the businesse of proclaiming the King, it was unanimously agreed that it was not at p^{re}sent advisable, unlesse we had orders for doing it.

Wherupon y^e Gover^r gave them thanks for so p^{er}ticularly & freely advising him, & told them he had nothing further to occasion their stay at p^{re}sent, unlesse they, or any of them, had any thing to impart from the respective Countyes fitt for p^{re}sent Consideration. It being Replied by divers that they had not, he adjourned the Councill to meet at New Castle y^e tenth day of y^e next month, about some p^{er}ticulars relating to that County & the adjacent neighborhood.

MEMORANDA. The Governor upon a necessary occasion afterwards, appoynted the meeting of the Councill at New Castle to be on the 17th of September, and accordingly went thither: And by the way, took a view of the Mill & Mill race Erected by Cornelius Empson. (Wherof complaynt had been made by Petition from severall of the inhabitants of Chester County.) But there appearing but five of the members of the Councill, viz:

John Simcock,	Peter Alrich,	Wm. Markham, Secretary,
John Bristow,	John Dehaes,	

nothing was done therein.

On the first of October following, Samu^{el} Gillham, master of the Ketch Crane, of Dartmouth, in the Kingdom of England, delivered to y^e Gov^r a pacquet, wth this superscription following, viz:

For his Ma^{ties} speciall Service. To William Penn, Esq., Proprietor of their Ma^{ties} Province of Pennsylvania in America: And in his absence, To the Gov^r or Comander in chief of that Province, for the time being, In Pensilvania.

4. Wherin was conteyned a Letter bearing date, Whitehall, 13th Aprill, 1689, signed Shrewsbury. Upon the Receipt & reading wherof, The Gov^r askd the sayd Gillham If that were all he had, and observed p^{er}ticularly to him, that there was no Proclamation or Instructions about proclayming their Majestyes; and ordered the same to be publiquely read by the Secretary for the satisfaction of the people, who had heard there was such Orders come.

The same day the Gov^r directed that sumons should be issued for all the members of the Provinciall Council to appeare at Philadelphia on the first day of Novemb^r following, in ord^r to the imparting the same to them.

The next day the Gov^r gave the sayd Gillham a Certificate, under his hand, & the Provinciall Seale annexed, signifying That he had received the sayd Letter, & should observe the contents therof, and of his proceedings therein give acco^t to their Ma^{ties} Principall Secretary of State by the first opportunity of Conveyance.

At a Council held at the Gov^{rs} Lodgings in Philadelphia the first day of the ninth month, 1689.

PREST:

JOHN BLACKWELL, Esq^r. Governor.

Samuell Carpenter,

Peter Alrichs,

John Bristow,

Griffith Jones,

Luke Watson,

Barth. Coppock,

John D'Haes,

John Simcock,

Wm. Markham, Secr^y.

John Hill,

The Governor caused the Entryes of the Proceedings of the last Council to be Read,

And acquainted the Council That the most of what he judged needful for him to say to them at this time was to the purpose of what he spake then. To which he Referred, the same having been Read; only Added, That he had Rec^d from the Principal Secretary of State, by his Ma^{ty}'s Comands, a letter, which he caused to be read over, w^{ch} is of y^e tenor following, viz:

WHITEHALL, 13 Aprill, 1689.

DUPLICATE.

S^r:—I am by his Ma^{ty}'s Comands, to acquaint you That his Maty. being sensible of the great & frequent injurys his subjects dayly receive from the ffrench, in apparent violation of the treatyes between the two Crowns, and particularly by the assistance that King has lately given, & continues to give his Enemys in Ireland; and by the invading his Ma^{ty}'s Territoryes in America, and disturbing the trade of his subjects in those parts for severall years last past: His Ma^{ty} has therefore, directed all necessary Preparations to be made for a speedy warr with the ffrench king, which has occasioned the giving you this notice of it, That you may with all possible diligence take effectual care for the opposing & resisting any attempt of the ffrench upon his Ma^{ty}'s Province of Pensilvania; And that all ships coming from thence, do not sayle hereafter otherwise than in fleets: And you are also to Assure his Ma^{ty}'s Subjects in that Province of his Ma^{ty}'s Protection, by sending forthwith a considerable squadron of ships into the West Indyes, and other Succours that shall be requisite, not only securing his Ma^{ty}'s Plantations in America, but obligeing the ffrench to make Reparation for the many unjust & violent proceedings & attempts against his Ma^{ty}'s Subjects in those parts. I am,

S^r., yo^r very humble servant,

SHREWSBURY.

Upon the Reading herof in Council, The Gov^r desired their advice, both as to what they thought fit to be done therupon, and what answer returned to the Secretary of State about it. And that they would be very serious in it, for that the danger was not only now as formerly, suggested by private uncertaine hands, but from the Secretary of state, by his Ma^{ty}'s Comands, &c. M^r. Alrichs declared He thought it necessary some thing should be done.

M^r. D'Haes, Desired The Gov^r would not take it ill that he sayd He would not Act either as a Magistrate in New Castle or here, untill

he knows who is King : which he Repeated severall times, adding, It is not safe to act without proclayming the King.

The Gov^r told him, He believed that King William & Queen Mary, The Prince & Princess of Orange, were King & Queen of England, &c. But he had not seen the Proclamation, & so knew not how to Proclayme them, &c.

M^r. D'Haes his opinion (that it was not safe to act without proclayming the King) occasioned severall others to declare their minds about it, and that the people were earnestly sett upon the doing it themselves in some of the Countyes, &c.

The Gov^r Declared He was as ready & desirous to do it as any body, if he had y^e Proclamation & orders for doing it; but having not, Proposed for their satisfaction who were impatient about it, That a middle way might be considered of, Which he thought might be done by a Declaration of the Gov^r & Council, owning their authority, and declaring their readinesse Solemnly to Proclayme them as soon as we should receive orders, or an authentique copy of the Proclamation, which he Expected by the next vessell that should come out of England.

M^r. Simcock said: If a forme of Declaration had been sent to us to have Proclaymed them I think we must have observed it: But in as much as there is no Comand sent us by the King of England, (who so ever he be,) nor from the Secretary, to Proclayme any King here, I think we have no reason to do it. But I would submit my self to better understandings. The case is doubtfull. We are not to believe but to be certain in such matters, &c.

The Gov^r told them, They had Proclaymed King James without Order.

John Simcock Replyed: King James was by an Act of Parliam^t voted the heir to his brother & so he came in: Now who ever comes in to put him out, Pray let us consider How he comes in: We have an act of Parliam^t for the one, but not for the other. It may be dangerous for us to do it without an Order.

M^r. Markham said: How the King came in We are not to dispute: There is nobody here to question How King William came to the Crowne. No man doubts but that he hath it: The Gov^r himself does not question it. If so, why may it not be safe for us to yield all due obedience to him. We believe King William & Queen Mary are the King & Queen of England, and so of these Dominions; and since we believe it, where is the prejudice in obligeing of those who would have them declared to be so, as the Gov^r hath propounded. We suppose this Letter is come from the Secretary of State to King William.

John Simcock Replyed: How do we know that.

William Markham. The Letter says their Majesties, and it can be meant of no other. I believe it's meant of them.

John Simcock said: We are not to Act by fayth in this matter, but with certaynty.

M^r. Markham said: Since we believe it, where is the prejudice. The Gov^r proposed a methodicall way for Our declaring Our obedience to King William and Queen Mary, and that we are wayting for

the forme & manner of proclayming them. To do this will give Satisfaction to all.

Griffith Jones. I know not why we should be more forward than our neighbors. There are two Provinces that have not. It is sufficient for us to proclayme him when we have orders for the doing it. But if we should do it before, certainly we may run ourselves into danger; and for my part I think, That if any thing be done about declaring it, It is no less to me than Proclayming him. It is our part, & enough, for us to obey the King's authority when we have it.

John Simcock. It is a trivial thing for us to declare the King till we are Comanded.

The Gov^r sayd: I think for peace sake with our neighbors & amongst our selves, we should do it, and moved A Comittee might be appoynted for drawing a Declaration in the name of the Gov^r & Council, & as their joynt agreem^t, That all Proces, warrants, & orders that usually past in the King's name, be hereafter issued in the name of their Mati^{es}, King William and Queen Mary: And all Comissions of officers to continue till further Orders; And named William Markham, John Simcock & Jo. D'Haes a Comittee for drawing such a Declaration, and presenting it to the Councill to morrow morning, allowing any other members of the Council to be present at the drawing it, that should think fit; And therupon adjourned till to morrow morning at Seaven of the Clock.

At a Council held at the Governor's Lodgeings in Philadelphia the second day of the ninth month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Governor.

Peter Alrichs,	John Hill,	John Bristow,
Griffith Jones,	Barth. Coppock,	Sam. Carpenter,
Luke Watson,	John Simcock,	Wm. Markham, Secr ^y .
John D'Haes,		

The Com^{tee} named last night, brought in the draught of a Declaration, which was Read; but severall things therein objected against were proposed to be allowed, w^{ch} were agreed unto, and the same being fairly transcribed, was read over severall times; and upon the Question put, viz: Whether this Declaration be agreed on as now amended? It was Resolved in the affirmative, by all the members declaring themselves by standing up in their places, nemine contradicente, and accordingly signed by the Gov^r & Council, Which is as followeth, viz:

By the Governor & Councill of the Province of Pennsilvania and Countyes annexed.

Upon sundry and Credible informations from England & many other places, more especially upon perusall of a Printed paper signed

the forms & manner of proclaiming them. To do this will give satisfaction to all.

Griffin Jones. I know not why we should be more forward than our neighbors. There are two Provinces that have not. It is sufficient for us to proclaim him when we have orders for the doing it. But if we should do it before, certainly we may run ourselves into danger; and for my part I think, that if any thing be done about declaring it, it is no less to me than proclaiming him. It is our part, & enough, for us to obey the King's authority when we have it.

John Simcock. It is a trivial thing for us to declare the King till we are Comanded.

The Gov^y said: I think for peace sake with our neighbors & amongst our selves, we should do it, and moved A Committee might be appointed for drawing a Declaration in the name of the Gov^y & Council, & as their joyful agreement; That all Process, warrants, & orders that usually pass in the King's name, be hereafter issued in the name of their Maj^{ties}, King William and Queen Mary. And all Commissions of officers to continue till further Orders. And named William Markham, John Simcock & Jo^s D'Hass a Committee for drawing such a Declaration, and presenting it to the Council to be present at the drawing losing any other members of the Council to be present at the drawing it, that should think fit: And thereupon adjourned till to morrow morning at seven of the Clock.

At a Council held at the Governor's Lodgings in Philadelphia the second day of the ninth month, 1688.

PRESENT:

JOHN BLACKWELL, Esq^r, Governor.

John Bristow,	John Hill,	Peter Aitches,
Sam. Carpenter,	Barth. Copcock,	Griffin Jones,
Wm. Markham, Sec ^y ,	John Simcock,	Luke Watson,
		John D'Hass,

The Com^{tee} named last night, brought in the draught of a Declaration, which was Read; but severall things therein objected against were proposed to be allowed, w^{ch} were agreed unto, and the same being fully transcribed, was read over severall times; and upon the Question put, viz: Whether this Declaration be agreed on as now amended? It was Resolved in the affirmative, by all the members declaring themselves by standing up in their places, nemine contradicente, and accordingly signed by the Gov^y & Council, Which is as followeth, viz:

By the Governor & Council of the Province of Pennsylvania and Counties annexed.

Upon sundry and Credible informations from England & many other places, more especially upon perusal of a Printed paper signed

John Brown, Clark of the Parliament, instituted, The Declaration of the Lords spirituall & temporall, & Comons, assembled at Westminster, bearing date the 12th of february, 1688-9, Wherin is this clause following, viz: The sayd Lords spirituall & temporall, & Comons, assembled at Westminster, Do Resolve:

That William & Mary, Prince & Princess of Orange, be and be declared King and Queen of England, France & Ireland, and the Dominions therunto belonging, To hold the Crowne and Royall Dignity of the sayd Kingdoms & Dominions To them, the sayd Prince & Princess, during their lives, and the life of the Survivors of them:

And that the sole & full Exercise of the Royall power be only in and Executed by the sayd Prince of Orange, in the names of the sayd Prince & Princess, during their joynt lives; and after their decease, The sayd Crown & Royall dignity of the sayd Kingdoms & Dominions to be To y^e heirs of the body of the sayd Princess, and for default of such issue, To the Princess Ann, of Denmark, and the heirs of her body; And for default of such issue, to the heirs of the body of the sayd Prince of Orange.

And the sayd Lords spirituall & temporall, and Comons, do pray the sayd Prince and Princess of Orange to accept the same accordingly:

And wheras, We have understood That the sayd Prince & Princess of Orange have been since proclaymed, Crowned, and do now Reigne accordingly: But having not hitherto Received the Proclamation to be how published, We have therfore thought fitt by this publike instrument, to make manifest to the world Our Loyalty & true affections To the sayd Prince & Princess of Orange, by acknowledging them to be Our King & Queen accordingly; And do therfore, strictly charge & Comand all the people & inhabitants within this Government, to yield all due & lawfull obedience unto William & Mary, King & Queen of England, &c., as their Lawfull King and Queen.

And it is hereby further comanded, That all Justices of the peace. Sherriffs, Clerks, Coroners, and all other officers whatsoever, now in Comission under this Government, or by the authority therof, do from hence forward act & do all things relating to their offices, in their names: And that all process be issued out in their names. And it is hereby further declared, That all officers Comissionated or impowred by this Governm^t, do stand, abide & remayne in the same stations, offices and imployments, as they were before the date herof, & so remayne & continue untill further Order. (Roman Catholiques only Excepted:) And That all proces issued out before publication herof, do remayn & continue in full force and virtue. Dated at Philadelphia, the second day of the ninth month, 1689.

JOHN BLACKWELL, Gov^r.

William Markham,	John Bristow,
John Simcock,	Peter Alrichs,
Sam. Carpenter,	J. d'Haes,
John Hill,	Griffith Jones,
Luke Watson,	Barth. Coppock.

John Brown, Clerk of the Parliament, instructed, The Declaration of the Lords spiritual & temporal, & Commons, assembled at Westminster, bearing date the 12th of February, 1688-9, wherein is this clause following, viz: The said Lords spiritual & temporal, & Commons, assembled at Westminster, Do Resolve;

That William & Mary, Prince & Princess of Orange, be and be declared King and Queen of England, France & Ireland, and the Dominions thereto belonging. To hold the Crown and Royal Prerogative of the said Kingdoms & Dominions To them, the said Prince & Princess, during their lives, and the life of the Survivors of them: And that the sole & full Exercise of the Royal power be only in and Executed by the said Prince of Orange, in the name of the said Prince & Princess, during their joint lives; and after their decease, The said Crown & Royal dignity of the said Kingdoms & Dominions to be To the heirs of the body of the said Prince, and for default of such issue, To the Princess Ann of Denmark, and the heirs of her body; And for default of such issue, to the heirs of the body of the said Prince of Orange.

And the said Lords spiritual & temporal, and Commons, do pray the said Prince and Princess of Orange to accept the same accordingly.

And whereas, We have understood That the said Prince & Princess of Orange have been since proclaimed, Crowned, and do now reign accordingly: But having not hitherto Received the Proclamation to be now published, We have therefore thought fit by this public instrument, to make manifest to the world Our Loyalty & true affections To the said Prince & Princess of Orange, by acknowledging them to be Our King & Queen accordingly; And do therefore, strictly charge & Command all the people & inhabitants within this Government, to yield all due & lawful obedience unto William & Mary, King & Queen of England, &c., as their Lawful King and Queen.

And it is hereby further commanded, That all Justices of the peace, Sheriffs, Clerks, Coroners, and all other officers whatsoever, now in Commission under this Government, or by the authority thereof do from henceforward act & do all things relating to their offices, in their names; And that all process be issued out in their names. And it is hereby further declared, That all officers Commissioned or empowered by this Government, do stand, abide & remain in the same stations, offices and employments, as they were before the date hereof, & so remain & continue until further Order. (Roman: Catholics only excepted.) And That all process issued out before publication hereof, do remain & continue in full force and virtue. Dated at Philadelphia, the second day of the ninth month, 1688.

JOHN BLACKWELL, Gov.

John Bristow,
Peter Alrich,
L. d'Hues,
Griffith Jones,
Barth. Coppock,
William Markham,
John Simcock,
Sam. Carpenter,
John Hill,
Lake Watson,

Ordered, That copies of the sayd declaration be transcribed & sent to the severall sherriffs of the respective Counties, with orders to cause the same to be forthwith published, & at the furthest by the next respective Court. This being over, The Governor then desired they would have consideration of the Letter before Recited, and desired they would give him their advice upon it.

Griffith Jones sayd: He thought we might suspend the Execution of it for the present, being in Expectation of hearing from England: Perhaps there will be no need of putting the Contrey to so great a charge. We are not able to bear it unlesse there were a necessity that required it. Let us wayt a little longer.

Jo. d'Haes. What if any hurt come in the mean time if we delay i before we are prepared. I think notice should be given to all the people to get powder & shott, and their armes, in a readiness against there be occasion. That will do no hurt.

John Simcock. I see no danger but from the Bears & wolves. We are well, & in peace & quiet: Let us Keep ourselves so. I know not but a peaceable spirit, & that will do well. For my part I am against it clearly: and, Governor, If we refuse to do it, Thou wilt be Excused.

John Hill. He thought if we should put ourselves into Armes, The Indians would rise against us, suspecting we intended harm to them. I desire, therefore, we may forbear till we heare out of England.

Luke Watson. You having (Governor) received such orders from the King, If the thing be not done, & any hurt come to the Contrey, for my part I think he may require our lives and Estates at our hands. Twenty men, as things now are, may come & do what they will. I look upon it That you should settle a Militia to defend his Maties Subjects, according to his directions from Whitehall.

Griffith Jones, Besides repeating what he sayd before, sayd: He desired the Countrey might not be put to those charges. It will be looked upon as very grievous & burthensome.

Here the Governor read the clauses of Power given to the Proprietor by the King's Grant to him, &c.

John Simcock sayd: He was against it; Expressing that what was granted by the King to the Proprietor was but a lease to him that he might do it; and sayd, I will have no hand in it.

Luke Watson. The people in the contrey look upon themselves to be in danger, and desire they may be put into a condition to defend themselves, &c.

John Hill answered: I will ingage they will not appeare one in five upon traynings.

Wm. Markham. My opinion is That we ought to have our armes as well fixed & prepared in time of peace as warr, for we know not how soon warr may come upon us, especially in this countrey, where we have such sort of people amongst us. And whether it be come or not, &c.. I allways keep my owne armes prepared.

Griffith Jones. Every one that will may provide his armes. My opinion is that it be left to the discretion of the Governor to do what he shall judge necessary.

Sam. Carpenter. I am not against those that will put themselves into defence, but it being contrary to the judgm^t of a great part of the people, & my owne to, I cannot advise to the thing, nor Express my liking it. The King of England Knows the judgem^t of quakers in this case before Governor Penn had his patent. But if we must be forced to it, I suppose we shall rather choose to suffer than to do it, as we have done formerly.

Barth. Coppock. I am of the same opinion wth Sam. Carpenter in what he spake last.

Gr. Jones Proposed againe, That they would referr it to the Gov^r discretion to do what was fit & necessary in the case; to which some others seemed to agree. Whereupon, the Governor spake to the Secretary to draw a Question to be put for that purpose.

John Simcock & Sam^l Carpenter declared against that, conceiving it might be prejudicial to them to be otherwise than passive in the matter; so no Question could be agreed upon.

The Governor therefore adjourned the debate to the 2^d day of next week.

At a Councill held at the Gov^r Lodgings in Philadelphia the fourth day of the nine month, 1689.

PRESENT:

JOHN BLACKWELL, Esq^r., Governor.

Sam. Carpenter,	John Simcock,	Griffith Jones,
Peter Alrichs,	John Bristow,	Luke Watson,
John D'Haes,	Barth. Coppock	John Hill.

The Gov^r acquainted them, That having adjourned the debate of the last meeting upon the Letter till this morning, He hoped they would now come to a resolution upon it. And in order to their better apprehending the true sense of the 7th Article or paragraph of the Charter of Libertyes, formerly read to them upon this Debate, (wherin it is sayd, That the Governor and Provinciall Councill shall at all times have the care of the peace and safety of the Province,) He Read unto them the Preamble of the two Acts of Parliam^t past in Engld. touching the King's sole & supream Right & power in & about the ordering of the Militia within all his Mat^{ty} Realms & Dominions, the one past in the 13th year of the late King Charles the 2^d, cap. 6. intitl'd, The Militia Declared to be in the King. The other in the 14th year of the same King, cap. 3^o, Intitl'd, For Ordering the Forces in the severall Countyes of this Kingdom. Wherin, amongst other things. It is Express That both, or either of the houses of Parliam^t, can not nor ought to pretend to the same, &c. And observed and Argued therupon, That if both the houses of Parliam^t of England could not, much lesse could the Provinciall Councill of this Province claime any Interest in ordering the militia, when the King, by his Letters

patents under the great seale, had deligated his power to the Proprietor and his heirs, to Exercise the same in this Province.

The Gov^r also observed to them, That the Charter of privileges granted by the Proprietor to the people, was limited & qualified by this Expression in the preamble therof, viz: (so farr asin him lyeth,) and [according to the powers of the Patent.] And That By a law past in this Province, Intitled An act of Settlement, This clause is conteyned, viz: Be it Inacted by the authority aforesd, That the Gov^r & Provinciall Councill shall have power of preparing & proposing to the Genll. Assembly, All such bills which they shall joynly assent to & think fit to have past into Laws, in the sayd Province & territoryes therof, that are not inconsistent with, but according to the powers granted by the King's Letters Patents to the Proprietary & Governor, So that he conceived It was not in the Proprietor's power to subject or Expose the King's Province to the hazard of being delivered up or lost to any invaders what so ever: And that therfore, the sayd 7th Article of the Charter of Privileges ought not to be so construed as that the Governor without the Councill, could not use Armes for its Defence. And That the King being sensible of danger approaching by the french, had Ordered in his Letter aforesayd, That the Proprietor, and in his absence The Gov^r or Comander in chief of this Province, should have notice of his intended warr with France, That they might with all possible diligence take effectuall care for the opposing and resisting any attempt of the French upon this, his Ma^{ty}'s Province of Pensilvania, &c.

That this could not be done by the Proprietor's or Gov^r's owne hands, but needed the advice & assistance of the Council, & people inhabiting here. That the Constituting of the Proprietor & his heirs by his Ma^{ty}'s Captain Gen^l, with powers, by themselves or their Captains, or other their officers, To Levy, muster & trayne all sorts of men, of what condition or where so ever borne, in the sayd Province, for the time being, and to make warr & pursue his enmyes, &c., And to do all & every other thing w^{ch} unto the charge & office of a Capt. Gen^l of an Army belongeth, or hath accustomed to belong, as fully & freely as any Capt. Geall. of an Army hath ever had the same, (w^{ch} are the Expresse words of the King's Grant, and were read unto them,) implyeth a great confidence his Ma^{ty} Reposed in the Proprietor; and also, a Condition of y^e Grant of the Province; and a saylor herin might prove a forfeiture. Especially, for that the King hath been pleased to give notice of the danger to the Proprietor, Which though perhaps we could not see, we were to believe, and give his Ma^{ty} thanks that he is pleased to be so mindfull of our security, and to notify to us our danger, in order to our providing against it.

The Gov^r also recited to them a further clause in his late Ma^{ty}'s sayd Lrs. Pattents, to this purpose, viz: And for as much as in the Governm^t of so great a Contrey, suddain accidents do often happen, wherunto it will be necessary to apply remedy before the freeholders of the sayd Province, or their deligates or deputyes, can be assembled to the making of Laws: Neither will it be convenient That instantly upon every such imergent occasion, so great a multitude should be

called together: Therefore, for the better Governm^t of the sayd Contrey, We will and Ordain, And by these presents, for us, our heirs & Successors, do Grant unto the sayd William Penn and his heirs, by themselves or by their magistrates & officers in that behalf, duly to be ordayned as aforesayd; To make and Constitute fit & wholesome ordinances from time to time, within y^e sayd Contrey, to be kept and observed, as well for the preservation of the peace as for the better Governm^t of the people there inhabiting, and publicly to notify the same to all persons whom the same doth or may any wayes concerne, which Ordinances Our will & pleasure is, shall be observed inviolably within the sayd Province, under payns therein to be Expressed, So as the sayd Ordinances be consonant to reason, and not repugnant nor contrary, but so far as conveniently may be, agreeable with the Laws of Our Kingdom of England: And so as the sayd Ordinances be not extended in any sort to binde, change, or take away the Right or interest of any person or persons, for or in their life members, freehold, goods or chattels.

The Governor also Proposed to them the consideration of the care taken in all other his Ma^{ties} Territories & dominions about the settling & ordering their Militias, and particularly the Laws past for that purpose in this Province & whilst it was united to New York and the Jarseys, under the Governm^t of his late Royall Highnesse the Duke of York, before his Ma^{ties} Grant of this Province to the Proprietor, and that he could not tell how to answer the neglect of making due & necessary preparations for defence of the Province & people comitted to his Governm^t: And upon the whole, prayed them They would be very serious & solemne in the debate & consideration of these matters: for that he must returne an answer of the letter & signify his proceedings by the first opportunity of Conveyance. And for as much as at the last meeting of the Councill, It had been by some of them moved, (That since divers of them could not by their principles consent to or be active in the directing or ordering any thing of this nature,) That they would cast it off from themselves and leave it to the Gov^rs discretion to give such answer to the sayd Letter, and to act therupon as was requisit, He Proposed this Question to be debated, viz:

Whether It should be left to the Gov^rs discretion to pursue & put in Execution the King's directions signified in the sayd Letter, according to the clauses of powers given to the Proprietor in the Letters Patents from his late Maty. King Charles the second, of the Grant of this Province to the Proprietor, in order to the defence of this Province against the french or any other invader of this Province & Countyes annexed, in all things as neare as may be according to the Laws of England and of this Province whilst under the Governm^t of his late Royall Highnesse the Duke of York, &c.

John Simcock sayd, We can neither offensively nor defensively take Armes. We would not be understood to tye others' hands; they may do every One what they please. We do not take upon us to hinder any. I do not think The Gov^r need to call us together in this matter. We can not at all Question the power of the Governor. It is a thing too hard for us to meddle with; and so we leave it.

Griffith Jones said, The case is hard. I desire to be passive & not to concern my self in it, either to give a negative or affirmative. God has preserved his people in times past, and as I would not hinder, but pay all respects to the King & Governor, So I desire to be excused from the question, One way or other. I do it not to refrayne charges, but cannot give advice what to do in it. I believe, were there other Quakers here, they would all say They had no advice to give: And therefore, As we leave the Gov^r to his own discretion, & others to do as they see cause wth safety to themselves, So we desire the Gov^r will let this Question fall.

John Hill said: my desire is, That no compulsion be upon those that are of tender consciences: but that it be left to the Gov^r to do as he pleases, and to take the care of it himself.

John Bristow said: I believe the power is in the King & by him derived to the Governor; but there must be reason & cause for it. I do not see but we are in peace, and so are like to be.

John D'Haes said: I think it needfull that every man do get his Armes ready, and furnish himself with powder & bullet, to be used if there be occasion.

Peter Alrichs said: I am for it, That the Gov^r do what he pleases. Some Regard must be had to the King's Letter.

Luke Watson said: I suppose the whole power is in the King & you as Governor, and I desire That you will Act & do according to the Law of England and other places, for I do not think ourselves safe.

The Gov^r proposed The Question might be put as is before Exprest, reading the same to them: But that being spoken against by severall, He proposed then That the Question should be put, Whether that Question should be put or no.

John Simcock desired That him self & some others might be permitted to withdraw for a while to consult by themselves; Which (though un-usuall) for their satisfaction, The Gov^r admitted it.

Wherupon He, the said John Simcock, John Bristow, Barth. Coppock, Griffith Jones, and Sam^l Carpenter withdrew, and after a while came in againe, And The said John Simcock, in behalf of himself and the Rest, sayd as followeth, viz:

We would not tye others' hands, But We cannot Act. We would not take upon us to hinder any, And do not think the Gov^r need to call us together in this matter.

Sam. Carpenter said: We can not vote One way or other to either of the Questions, We say nothing against it, in regard it is a matter of conscience to us. I had rather be ruined than violate my conscience in this case. We do not take upon us to hinder any. I do not think the Gov^r need to call us together in this matter; And therefore we desire we may be no farther prest in this matter.

Griffith Jones added: I hope the Gov^r will not impose that which he would not have imposed upon himself if his Conscience were against the thing. We leave it to the Gov^r discretion, who knows better than we how to answer the King's Comands by his Letter; and doubt not but

he will make a fayre Representation of us to the King as to this matter.

The Gov^r Replyed: He lookd upon it as a civill thing belonging to the Civill magistrate's power; and declared, That if he should take up any opinion in civill matters against the Laws, peace & safety of the Contrey, If he could not act, he should hould himself bound to be passive: and in case a Comon charge were required, he should not scruple to pay his share therof for the safety of the Contrey where he should dwell, and preserving it against all invaders; But,

In as much as they declyned any advice or assistance, and had declared so generall a voyce to leave the matter to his discretion, He would consider what was his duty in the case, and Act after the best manner he could accordingly, for the preservation of the whole, without further pressing them on this occasion. And That By the first opportunity, he would give account of his Actions to the Secretary of state, and the Honb^{le} Proprietor of this Province, his Master.

A Petition was presented to this board from Tho. Harris, praying an Appeale might be granted from the County Court of New Castle, after Judgm^t & Execution, both in law and equity: But for as much as the sayd Court saw no cause to allow any, nor was any sufficient cause alleged, Upon the Question put, Whether it should be admitted, & the matter Reheard at this board, It was carryed in the negative.

A Petition was likewise exhibited to this board from Wolto Rawson, setting forth That he was distreyned upon by Cornelius Empson, for Contrey Rates, in the County of New Castle, Wheras his Lands lay in the County of Chester, where he had allwayes till then been Rated & payd, &c.

It was Ordered, That he continue to pay in the County of Chester untill the Two Countyes shall have the Moors of the sayd Countyes otherwise determined, And that the Justices of New Castle do order the Restoring of the distresse taken by Empson.

A like petition was Exhibited from Wm. Clowd, upon like cause of distresse, And it was Ordered in his behalf as in Wolto Rawson's.

The Gov^r proposed That either the members of the Councill would give their constant attendance, according to the Provision made by the Law, viz: one out of each County; or at least that they would agree & order, (and it was accordingly agreed and ordered, nemine Contradicente,) That in case the Gov^r should see cause at any time or times hereafter, to Sumon a Councill, the charges of conveying all Sumon's should be borne & payd to the Secretary by an equall apportioning the sayd whole charge upon each County; And That the members of the Councill that should appeare, should disburse the same to the Secretary, at their meeting therupon, and should afterwards Levy the same by a County Rate, for their Re-imbusement.

Wherupon, The Gov^r dismiss the Councill from their further attendance for the present, and untill new Sumons.

December y^e 13, 1689.

Vpon a pacquits arrivall this Day ffrom y^e Proprietary, Directed to y^e Gover^r, he ordered a Councill should be Summoned to meet in Philadelphia y^e 31 Ins^t.

At a Councill held in y^e Councill Roome at Philadelphia y^e 31 of y^e 11th Mo., 1689.

PRESENT:

JOth BLACKWELL, Esq^r., Gover^r.Jn^o. Symcock,

John Bristow,

Joth Hill,

Griff. Jones,

Wm. Stockdale,

Wm. Markham, Sec^y.Sam^l Carpenter,

The Gover^r Supposing more members of Councill would be in towne to morrow, the weather being bad might hinder their traveling, Adjorned till then, two in y^e afternoon.

At a Councill held in y^e Councill Roome at Philadelphia y^e first of y^e Eleventh month, 1689-90.

PRESENT:

JOth BLACKWELL, Esq^r., Gover^r.

Tho. Lloyd,

Bart. Coppock,

Griff. Jones,

Jn^o Eckly,Joth Symcock,Sam^l Carpenter.Sam^l Richardson,

Wm. Clark,

Jn^o. Hill,

Wm. Stockdale,

Joth Bristow,

Wm. Markham.

After y^e Gover^r had Apologized for haveing his Speech in writing, and had read y^e same, w^{ch} follows verbatim, viz:

Gent. I had not Called you together at this unseasonable time of y^e year, had not the Extraordinary occasion which I shall acquaint you with all, Required it, w^{ch} is indeed Such wherein as well my owne interes, peace and Comfort, as your Contentment, are Concerned. I shall not Spend more time in Digressing or withholding the mutuall Satisfaction this meeting will afford vs, Then I Judg necessary, (as introductive to y^e Communicating of what I have vpon me to Say vnto you.)

My manner of Entrance and being received amongst you in this place is Knowne to Divers of you, and by what authority and Commission I was Constituted Gover^r of this Province, &c., vnder y^e Absolute Proprietary & his heirs. I Tould you formerly, (at what time I began to be Sensible of some of your ill resentments of me,) that I sought not to be your Gover^r: But it arose ffrome y^e mere good will and Pleasure of y^e Proprietor to propose and require that Service of me, by his Comission sent me to new England, (with Instructions bearing date y^e 12th day of y^e 5th Mo., Called July, 1688,) which I have heard some of you have sayd 'twas but probationary.

*This should be the tenth month.

As I never looked vpon it as an Inheritance, so I am Sure I Came on no other terms of my making or accepting then to doe you service at his Request, w^{ch} I have Diligently and faithfully (according to y^e best of my understanding,) indeavored to manifest, my Conscience not vpbrayding me, w^{ch} I shall willingly doe in any Capacity rather then this Highest.

I Camè (indeed) with full purpose of Returning before y^e advance of y^e Last Summer's Season, but such has been y^e state of Publick affayres as Ingenuity would not permitt me to leave y^e trust Committed to me whilst my master was vnder any Evill Circumstances, (by y^e Late revolutions,) without his free Concent and Directions about your future Settlement, w^{ch} I have now Received.

How vneasy my Continuance has been to some of you has been Represented to me by their writing; How burthensome to my selfe, my Spiritt has frequently dictated; my tougne has (perhaps) over Concernedly Expressed to others of your selves, and my Severall Letters of Complaint of y^e Insupportableness of it, and my repeated Requesting of y^e Hob^{le} Proprietor to be Released therefrom are Witnessses; So I have testimonyes not only within my selfe, but in some of your breasts, also in y^e Proprietor's hands, and some of my near relations imployed therein, to whome I perticularized y^e promoting grounds and Reasons thereof, w^{ch} will sufficiently evince y^e Sincerity of my Heart in desiring to be acquitted therefrom, and which I hope I shall Confirme to you Ere I have done.

The Proprietor has been pleased very kindly to Resent w^h I have written of y^e nature, (as his Letters to me of Severall dates, but Coming alltogether in one paquet by this Last Conveyance, doe Satisfie me,) ffor w^{ch} I shall returne him my Sutable thanks. But withall, he has given me a touch of Some representations that have Come to him hence concerning me, and what a Spiritt has been raysed in ffrinds to his Disquietm^t there vpon y^e acco^t vnder his present afflictive circumstances, w^{ch} I am very Sory ffor, but shall not Trouble you with y^e Particulars, or my Sence of y^e Procuring Cause thereof at present. 'Tis enough ffor me to hint those things to you, who must needs know of Them, at least Some of you, so I shall not in y^e Least Disturb y^e Serenity of my owne minde, or Discompose you (ffrom a joy full reception of y^e message I have to Deliver you) by any remarks therevpon, or give you fflurther occasion of Representing me a grievance to him in any sort.

'Tis a good day. I have given & I doe unfeignedly give God thanks for it, (w^{ch} are not vayne words,) for to Say no worse I was very vnequally Yoaked: and it being y^e Day of my Redemption from that Groaning, (I say,) I shall not grieve any of you, Neither Shall I Deteine you longer in this porch.

Gent., I have Severall things to Communicate to you, by Command of y^e Proprietor, whereof these at present, viz^t:

first, the Declaration of his selves to you and y^e people in Gener^{al}, with his fervent resolutions to be with you by God's hand and help, by y^e very first Door y^e his Providence opens, and his Sincere prayers

to God for all your prosperity, wishing peace and happyness to abound among you every way.

Nextly, that y^e Consideration of my repeated desires to leave a Station y^e is So vneasie to Keep and Execute, has at Last brought him to resolve, tho' with reluctancy, (as he is pleased to his Express himselfe,) to answer my Request, and Ease me of that burthen. But upon y^e terms of takeing me to himselfe, &c., wherein he has made very kinde proposalls to me, and Sent me over Severall Commissions & Instructions, w^{ch}, when I Judg Seasonable to Ingage in, I shall Communicate vnto you. And lastly, to lett you know that I quit y^e place of Gover^r as a man that sought to be discharged from it.

In pvrsuance whereof, this being y^e place where, (after some debate amongst your selves,) you Declared your acquiesceing wth my Governm^t, I doe here with all heartiness, declare my Rejoycing in y^e Opportunity and leave I have of Resigning and Surrendering it vp. And I doe accordingly very ffreely and ffully resigne and Surrender all y^e powers and authorities in my Commission and Instructions ffrom y^e Honb^{le} Proprietor, given me as Gover^r, into your hands and acceptance, viz: to y^e Provinciaall Councill.

And ffor y^e you are ffallen into times of difficulties and Danger, (perhaps greater than some of you are aware of,) I Doe and Shall pray y^e Lord y^e God of all wisdom, that he would gratically Enlighten your minds, and over rule your debates and Counsels, in and vnto Such wayes of truth, wisdom, quietness and agreement with his will, and one with another, as may Conduce with his glory, the Hon^r of Their Maj^{ties} our Most Gracious King & Queen, the Security of Their Province and territoryes, the Interest and Rejoyceing of the Proprietor's heart and worthy ffamily, and y^e Generall good, happiness and prosperity of y^e people of all perswasions now Committed to your Charge; and that he will alsoe Indow you wth Courage and resolution proportionable to y^e Trust and Station you are Sett in; that Impartiall Justice may run with a mighty Streame ffrom your administrations amongst them, to y^e terrour of Evil doers, and prayse of all others.

Gent., I begg your pardon of my Ignorances & weaknesses; (I call my doings so, for y^e I bless God I am not vnder any Conviction of haveing wickedly Departed ffrom y^e Rule of my Duty therein;) I mean your Charter and Laws, so ffarr as they have ffoundation in y^e King's Patent, and are not contrary to y^e Laws of England. I begg also yo^r acceptance of my vnfeigned thanks ffor what Respects you have shewed me in y^e advices and assistances you have Supplied vnto me, as I doe also ffgive y^e Disrespects & neglects of any persons in this Government; and Lastly, I assure you that though I have not been acceptable to you as yo^r Gover^r, ffrom y^e very ffirst day you saw me, (wherof I was Early made Sensible,) I will indeavours to improve these faylors to the approveing myselfe a Pattern and instance of personate humble deference, Submission and Obedience to those who Succeed me in y^e Governm^t whilst I Remaine amongst you, which y^e vnfitness of y^e Season & Danger of my age and Constitution, to travell so long a journey

as to y^e place whence I Came, will probably Constrayn me vnto Some months.

Gent: I now both voluntarily and freely quit this Seat, to be fild vp as by these two Commissions: (which I here deliver to you ffrom y^e Proprietor:) In order to your Consideration whereof I think it my Duty to give you his owne words Concerning them, which are these, viz:

[I have Sent two Commissions about Settling y^e Governm^t there in a condition that may please y^e Generallity. Let them be y^e Choosers, Either of Them shall satisfie me.] By which you See how much his heart is Sett vpon your agreeing one with an other, not offering violence by Imposing vpon y^e Lesser number. He proposes that y^e Generallity be y^e Choosers, not y^e bare majorrity, and give me leave to tell you ffrom my owne Experience, 'twere yet better if you Could gaine y^e universality ffor what you shall pitch upon as things now stand, for 'tis Harmony must be your strength and Continuance, and a Small Complaint added to this Change of y^e Hands, will argue you to have Little regard to y^e Proprietor's present ill circumstances, and shake your whole ffoundation.

Here is also a Letter directed to you, w^{ch} I Received in my Paquet ffrom y^e Proprietor, and when I vnderstand you have so made your Election, and Settled y^e Deputation according to these Commissions, I shall further address to you in what I shall conceive proper ffor your respective Cognizance relating to y^e Proprietor's Service, agreeable to what further Instructions I have ffrom him. And if I may be any way Serviceable to him or you whilst I remaine in these parts, be pleased to honor me wth your Commands. In y^e meantime I take my leave of you, and pray y^e Lord be wth you.

The Gover^r Then with drew, and then was Read by y^e Secretary two Commissions ffrom William Penn, absolute Proprietary of y^e Province of Pennsylvania & Countys annexed, to y^e Provinciaall Council, w^{ch} are as ffolloweth verbatim, viz:



WILLIAM PENN, Absolute Proprietary of The Province of Pennsylvania & Countys annexed, To his Trusty beloved ffriends, The Provinciaall Council ffor y^e Province of Pennsylvania, &c., Greeting:

Since the Providence of God hath disappoynted my reall Intentions and Ernest Inclinations of Coming to you for some time longer, and to y^e End y^e Inhabitants thereof may be assured I have and Seek noe other Interest then what is agreeable with theirs, I doe Consent that you please yourselves, & therefore doe hereby Impower you to Chuse Three persons within y^e said Province or Countys annexed, to present to me by y^e very first opportunity, out of w^{ch} I Shall Chuse one ffor my Deputy or Lieftenant Gover^r; and till my mind therein is Knowne, I Doe hereby order that he that has y^e most votes, or is first Chosen by you, shall ffrom y^e time of yo^r Choice Act as my Deputy or Lieftenant Governor, over y^e said Province & Territorys, according to y^e Power and Limitation of fformer Commissions, you taking Care to Support him in y^e Capacity, Revoking all fformer

Commissions to any Else granted, and Requiring all persons concerned to give him that Respect due to his high station. Given at London, y^e 25th day of y^e 7th Mo., 1689.

WM. PENN.



WILLIAM PENN, absolute Proprietary of The Province of Pennsylvania and Counties annexed, To his Trusty and Beloved friends, the Provinciaall Councill for y^e Province of Pennsylvania, &c., Greeting.

Since y^e Providence of God hath disappoynted my reall intentions and Earnest inclinations of Coming to you for some time longer, and to the End y^e Inhabitants thereof may be assured I have and Seek no other Interest then what is agreable to theirs, I have thought fitt to appoynt you my Deputy and Lieftenant in Government, and do accordingly hereby Constiute you my Deputy, to act and doe in all things, in my name and Stead, according to y^e power and Limitation of fllomer Commissions. I Doe also Impower you to Elect y^e President ffrom time to time, as you se Cause, so as he and you Exactly answer y^e Charter and Laws of y^e Country, Requiring all persons Concerned to give you y^e Respect due to your high station, wth Commission shall Continue so long as I shall See Convenient. Given at London, this 25th of y^e 7th month, 1689.

WM. PENN.

Then was Read a Lett^r ffrom y^e Proprietary, bearing date y^e 12th of y^e 6th Mo., 1689, w^{ch} follows verbatim:

ffriends, I heartily wish you all well, and beseech God to guide you in y^e ways of Righteousness and peace. I have thought fitt vpon my flurther Stopp in these parts, to throw all into your hands, that you may all See the Confidence I have in you, and the desire I have to give you all possible Contentment. I Doe Earnestly press your Constant attendance vpon y^e Governm^t, and y^e Diligent persuit of peace & Vertue, and God almighty Strengthen your hands in so good a work.

I also Recommend to you the perticular Discipline of That Towne you meet in, that sobriety & Gravitie be maintained, and Authority Kept in Respect. As it Coms in your way, Countenance my Officers in Collecting my Small Revenue.

Lett y^e Laws you pass hold so long only as I shall not Declare my Dissent, that so my Share may not be Excluded, or I finally Concluded, without my notice: in ffine, lett them be Confirmable by me, as you will See by y^e Commission I Left when I Left the Province.

And if you Desire a Dep^y Gover^r rather, name Three, or ffive, and I shall name one of Them, so as you Consider of a Comfortable substance, that y^e Governm^t may not go a begging. I do not this to be a binding president; but to give you and y^e people you represent the fullest pledges I an able at this Distance, of my regard to them. What Ever you do, I desire, beseech & Charge you all to avoyd ffactions and parties, Whisperings & reportings, and all animosities, that putting yo^r Common Shoulder to y^e Publick work, you may have The

Reward of Good men & Patriots, and so I bid you heartily ffairewell.
Given at London, This 12th of y^e 6th Mo., 1689.

W. PENN.

W. P. P. G.

To my Trusty and well beloved ffriends, y^e Provinciaall
Councill at Philadelphia, in Pennsilvania.

By ED. BLACKFAN.

The members of Councill present being unwilling to Enter Imme-
diately vpon debate w^{ch} of The two foregoing Commissions is most
requisite should be put in Execution, did vnanimously agree at this
time to Depart, and to meet againe to morrow, at nine in y^e ffore-
noon.

At a Meeting of y^e Members of Councill in y^e Councill Roome, y^e
2^d 11 Mo., 1689-90.

PRESENT:

Tho. Lloyd,	Barth. Coppock,	Wm. Stockdale,
Jo ^a Symcock,	Jo ^a Bristow,	Sam. Carpenter,
Jo ^a Eckly,	Grif. Jones,	Jo ^a Hill,
Sam. Richards,	Wm. Clark,	Wm. Markham, Se.

It was Debated w^{ch} of y^e Two Commissions that was Read yester-
day should be put in Execution, and Resolved vnanimously, that y^e
Commission w^{ch} Impowred y^e Councill to be Deputy Gover^r or Leive-
tenant, to be accepted: accordingly, y^e Councill Elected Thōmas Lloyd
President. It was put to y^e vote whether the other Commission should
be Canceled or not: Carried in y^e affirmative, N. C. D., and was ac-
cordingly Canceled at y^e board.

Then was Read this ffollowing Clause in a Letter from the Proprie-
tary to his Commissioner's of The same, viz:

Whereas, there is 600lb. due to me, w^{ch} has been neglected or re-
fused to be paid, if y^e Province will build me an house in the City ffor
my reception, vpon my Lott, Leaveing me to make additions hereaf-
ter, if there be occasion, I hope to be there as soon as that is finished.
I have sent Capt. Wm. Markham my model Or stock, y^e Three Planta-
tions of my Three Children, wth Each two Hundred pounds, w^{ch} Comes
to y^e sum, I shall take it well, and this may be sooner and safer done
yⁿ returning me y^e sum, tho' here it would have done me most good.

The Petion of Thomas ffairman was Read, setting forth his greivance
from y^e County Court of Philadelphia, in y^e Case between him &
Mary Jeffs, wherevpon it was ordered y^t y^e County Record be brought
to y^e Councill, to Examine y^e proceedings in that Case.

Adjorned to Nath^l Ibel's house, y^e season being very Cold.

The Secretary was Ord^d to acquaint Jo^a Blackwell, Esq^r., y^e Late
Gover^r, in writeing, of the Board's Readiness to Receive any thing

from him Communicative to them, and to wayt vpon him with it himselfe, w^{ch} was accordingly done, and it is as ffolloweth, viz:

Sir: The Councill has this morning vnanimously accepted of y^e Commission Impowring y^e Provinciaall Councill to be Dep^y Gover^r or Leiu^t, and have accordingly made Choyce of Thomas Lloyd to be president, and vnder that fforme, y^e Provinciaall Councill is Ready to Receive what you have to Communicate to them.

I am, S^r, your Humble serv^t,

WM. MARKHAM.

Wherevpon y^e Said Blackwell, late Gover^r, attended wth y^e Secretary, Came to y^e Councill, and after Congratulation, presented them with Instructions ffrom y^e Proprietary, and an abstract of Severall Instructions ffrom y^e Proprietary to himselfe in private Letters; both w^{ch} are here at large sett downe, verbatim:

Instructions ffor L^t Governo^r Blackwell, or whome else it may Concerne.

First: that things be transacted in my Name, viz: Absolute Proprietary of Pennsilvania, (provided it agrees with our Charter and Laws, as I think it dos,) &c.

2. That all Commissions Signed by me and sealed here with y^e Lesser Seal, be taken ffor Sufficient warr^{ts} & Directions ffor passing them vnder y^e broad seal, without any other Instrument of Authority.

3. Thirdly: to Collect y^e Laws that are in Being, and send them over to me in a sticht book, by y^e very first opportunity, which I have so often, and so much in vaine, desired.

4. To be Carefull that Speedy, as well as through and Impartiall Justice, be done; Virtue in all Cherished, & vice in all punisht.

5. That ffines be in proportion both of y^e ffault and ability of y^e party, y^t so they may be paid.

6. That ffewds between perswasions or Nations, or Counties, be Suppressed & Extinguished, if any be, & if none, that by a good Conduct they may be prevented.

7. That y^e Widdows, Orphans, and Absent, may be perticularly Regarded in their Right, ffor their Cry will be Loudest in all Eares; but by Absent I mean Such as are so by Necessity.

8. To Countenance y^e Comm^s of Propriety, where land is vnseated, or people are vnruely in their settlements, or Comply not wth reasonable Obligations about bounds, banks Timber, &c. ffor tho' wee Came to a wilderness, it was not that wee should Continue it so.

9. That y^e Sheriffs of y^e Respective Counties be Charged wth The Receipt of my rents, ffines, &c., as they doe in England, & give Security to y^e Receiver Generall ffor y^e same.

10. To have a Speciall Care that Sheriffs & Clarks of y^e peace Impose not vpon y^e people, and that y^e magistrates live peaceably & soberly, ffor I would not Endure one loose or litigious person in Authority; Lett them be men haveing some ffear of God, and hateing covetousness, whatever be their perswasions: to Employ others is to prophane an Ordinance of God.

11. That Care be taken of y^e Roads and Highways in y^e Country,

that they may be streight & Commodious ffor Travellers; ffor I vnderstand they are turned about by y^e planters, w^{ch} is a mischief y^t must not be endured.

12. Rule y^e meek meekly, and those that will not so be Ruled rule wth Authority; And God Almighty prosper all honest and prudent Endeavours.

Lastly: Consider by what means or methods y^e Good and prosperity of y^e Plantation may be promoted, and what Laws in being are vnnecessary or Defective, and what are wanting, and in Each particular hereoff, Lett me have advice as Distinctly and as speedily as may be.

Given at London, y^e 25th day of y^e 7th Mo., 1689, was signed

WM. PENN.

An Abstract of Severall Instructions Recomended to me by y^e Proprietor, Directed with Relation to y^e Governm^t whilst I was Gover^r, Lt. Gover^r & Deputy Gover^r of this Province of Pennsylvania.

[In his Lett^r 11 2 m., 1689.]

There is a Cause of y^e widdow Jeffs, in which I have been prest: I Doe desire y^t shee may have justice Showne her, and as much mercy & Kindness as can be with justice to those Concerned with her.

Also that y^e Concerns of Henry Patrick may not be lost, Rich^d Noble was Intrusted.

[in his Lett. 11 6 mo. 1689.]

Countenance y^e Interest of Widdow Whitpaine and her husband's Creditors, all that is possible in justice; the Hono^r of y^e Province is concerned in it.

[in his Lett. 25 7 mo., 1689.]

I must Recommend to y^e Governm^t y^e Care of y^e widdo Jeffs & Whitpaine, in which, believe me, y^e Honour of y^e Province is Deeply Concerned, Especially y^e Latter, because of her husband's Creditors, whose Expectations are much ffor you there.

Sam^l Hersent left a Child there that was at my Charge, but I think ought to be mantayned by y^e Community. It is y^e Grandmother's desire he should be sent over by the first Opportunity y^t is safe, as if There Come a fleet with a Convoy ffrom Virginia or New York.

I would be as Little Rigorous as possible; And doe desire thee, by all y^e Obligation I and my present Circumstances can have vpon thee, to Desist y^e prosecution of T. L. I intirely Know y^e person both in his Weakness and Accomplishment, and would thee End y^e Dispute between you two, vpon my Single Request & Command, and that former inconveniences be Rather mended then punished.

P. S. Salute me to y^e people in Gene^a: pray send for J. Simcock, A. Cock, Jn^o Eckle & Sam^l Carpenter, and Lett them Dispose T. L. & Sa. Richardson to that Complying temper that may tend to that loeving & serious accord y^t becomes such a Governm^t; vale.

Ex^r. p. me,

JOHN BLACKWELL.

2^d 11, 1689.

Ordered y^t y^e Secretary Deliver to y^e Keeper vpon his Demand, y^e Commission this day accepted off by P^{ll} Councill, Impowring them to be Deputy Gover^r or Leiu^t, in order to y^e Keeper's passing it vnder y^e broad seale.

The Secretary Read a paragraph of a Letter ffrom y^e Proprietary to him, bearing date y^e 13 2^d Mo., 1689, viz:

Pray represent to y^e Deputy Gover^r & Provincia^{ll} Councill, the Invasⁱon and oppression of those that Except against any man being Chosen a member of Councill or Assembly that is in my service, though it appear y^t they are otherwise good and Honest men: is there not y^e same Reason to refuse them their votes that Choose their Landlords, Customers, masters or Relations, ffor y^e Reason is rather Stronger: is my Interest already rendered so opposite to y^e Country's, and I and those Employed by me, become such ill men y^t it is Impossⁱble they Can serve y^e Country and me together? I Could say much against y^e Impolicy & Impiety of Such Suggestions; only make a stand & protest against all Such things.

The Records of y^e County Court of Philadelphia being brought to this board, and y^e Case between Mary Jeffs and Thomas flairman being thorowly Examined by y^e Prov^{ll} Councill, Did Resolve and Order:

That y^e Appeale obtained (vpon a judgm^t by Thomas flairman, at a County Court or Quarter Sessions held the first day of y^e first month, 1688-9,) Doe Continue till it be Determined by y^e next Provin^l Court; and that what goods so ever have been taken in Execution vpon the aforesaid Judgment, or any subsequent Order of y^e said Court since in y^t behalfe, y^t y^e sheriff, or such officers who have been Employed vnder him, be required fforthwith to make Restitution of y^e same, as They shall Answer y^e Contrary at their perrill.

Adjorned ffor an Hour.

POST MERIDIEM.

Present as before.

The Petition of Kathe. Thomas was Read, Requesting Lycen. to Keep an Ordinary; w^{ch} was granted, provided shee procure Sufficient Certificate of her good behaviour.

Ordered that a Blank Commission be Drawne ffor Prov^{ll} Judges.

Ordered that Commissions of y^e Peace be made for all y^e Counties, and these persons ffollowing to be Inserted, (viz:)

PHILAD. CO.

Tho. Lloyd,
Joⁿ Eckly,
R^t Turner,

Wm. Salway,
Bar. Wilcox,
ffra. Rawles,

Law. Cock,
Joⁿ Holme.

BUCKS CO.

Arth. Cook,
Jos. Growdon,
Wm. Yardly,

Tho. Janney,
Wm. Byles,
Nich. Newlin,

Joⁿ Brock,
Hen. Baker.

CHESTER CO.

Jo ^a Bristow,	Nich. Newlin,	Jam. Sanderling,
Jo ^a Beaven,	ffran. Harrison,	Wm. Howell,
Jo ^a Blunston,	Sam ⁿ Levis,	Jos. ffearne.

NEW CASTLE CO.

Pet. Alrichs,	Cor. Empson,	Ch. Rumsey,
Jo ^a Cann,	Joha. D'Haes,	R ^t Ashton,
Wm. Stockdale,	Pet. Banton,	Jo ^a Hayly.
Ed. Blake,		

KENT CO.

Wm. Clark,	Dan. Jones,	Wm. ffreeland,
Jo ^a Brinkloe,	Jo ^a Walker,	Jam. Brookes,
Geo. Martin,	Mark. Manloe,	Wm. Manlow.
Jo ^a Curtis,	Wm. Lawrence,	

SUSSEX CO.

Wm. Clark,	Jo ^a Hill,	R ^t Clifton,
Tho. Wynn,	Tho. Price,	Sam ⁿ Gray.
Luke Watson,	Sam. Preston,	

Adjorned till Tenn To-morrow morning.

At a meeting of y^e Councill in Philadelphia the 3^d 11 Mo., 1689-90.

PRESENT:

THOMAS LLOYD, Presid^t.

Jo ^a Eckly,	Barth. Coppock,	Jo ^a Hill,
Sam. Carpenter,	Wm. Clark,	Wm. Markham,
Sam. Richardson,	Griff. Jones,	Jo ^a Bristow.
Wm. Stockdale,	Jo ^a Symcock,	

The Petition of Wm. Hill, who with his wife were prisoners in y^e County of Kent, with severall other papers Relateing to their Cause, were Read, Complayning against the seveare vsage of that Court; and with all a Coppy of y^e proceedings of y^e Court against them, was Read. All w^{ch} being thorowly Exammined and Debated, it was Resolved & Ordered,

That a warr^t be made and sent Downe fore their Speedy Release.

Adjorned till 9 to morrow forenoon.

Ata Meeting of y^e Councill in Philadelphia The 4th 11th Mo., 1689-90.

PRESENT:

THO. LLOYD, P^t.

Jo ^a Symcock,	Jo ^a Hill,	Wm. Clark,
Sam. Richardson,	Griff. Jones,	Wm. Markham, Sec ^y .
Jo ^a Bristow,		

Vppon Debate whether y^e Keeper of y^e Broad Seale might sitt Ex-officio in any County Court within this Governm^t as a member thereof, They were vnanimously in y^e Opinion he might.

Ordered that a Publick Instrument be drawne according to y^e Proprietary's Instructions, to Suppress all sort of vice.

Ordered that Commissions be Drawne ffor y^e Sheriffs to Continue their Offices vntill y^e Riseing of y^e next provinciall Legislative Councill, or till fflurther order. Jo^a Claypoole Except^d.

Adjourned till y^e 6th Ins^t. 2 in y^e afternoon.

At a meeting of y^e Councill in y^e Councill Roome at Philadelphia y^e 7th of y^e 11 Mo., 1689-90.

PRESENT:

THOMAS LLOYD, P^t.

Jo^a Symcock,

Wm. Clark,

Jo^a Hill,

Jo^a Eckly,

Jo^a Bristow,

Wm. Markham, Sec^y.

Sam Richardson,

Sam. Carpenter,

After y^e Commissions and orders that were ordered to be were signed by y^e President, and a Lycence granted ffor Jere Scott to keep an ordinary in Sussex County, The Councill adjourned till fflurther Order, to be Called againe by y^e presid^t, or in his absence by any ffour members of this Place.

At a meeting of y^e Legislative Councill The Thirty-first day of y^e first month, in the Councill Roome at Philadelphia, 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,

Jo^a Curtis,

Grif. Jone,

Wm. Clark,

Luke Watson,

Bar. Coppock,

Sam Richardson,

Wm. Yardly,

Wm. Markham, Sec^y.

Wm. Stockdale,

The Returne of y^e County of Bucks was Read, wherein was Returned Arth. Cook to serve in Provinciall Councill ffor three years; Jos. Growdon, Henry Poynter, Rich^d Hough, Henry Baker, Edm^d Bennet, Jo^a Cook, to Serve in Assembly ffor y^e Ensuing year.

Arther Cook Signed y^e vsuall obligation and took his place at y^e Board.

The Returne of y^e County of Philadelphia was Read, wherein was Returned Griff. Owen to serve for Three years in Provinciall Councill; & Thomas Duckett to serve in Provinciall Councill ffor y^e Remaining

time that John Eckly Deceased, was to have served: and for Assembly, Wm. Salway, Humph. Murry, Thomas Fitzwater, Charles Pickerin, Paul Sanders, Abraham Opdegrave.

Griff. Owen & Tho. Duckett Signed y^e vsuall obligation & took their places at y^e board.

The Returne of Kent County was Read, wherein was Returned Joⁿ Brinkloe to serve in Prov^l Councill for Three Years; and John Barnes, Jo. Betts, Dan^l Browne, Ezech. Needham, Rich^d Curtis, & Wm. fireland, to serve in Assembly for y^e Ensuing Year.

Joⁿ Brinkloe signed y^e vsuall Obligation and took his place at y^e board.

The following Declaration was ordered to be Incerted, in order to the Provinciaall Councill's Members signing it the same.

Wee Doe hereby freely acknowledg Allegiance to y^e King & Queen, and Declare & Promise fidelity and Lawfull Obedience to Wm. Penn, Sonn and Heir of S^r Wm. Penn Deceased, and his heirs and Assigns, as Rightfull Proprietary and Governour of y^e Same, according to the King's Letter Pattents and Deeds of Grant and feofment from James, Duke of York and Albany, &c., and that Wee will never Act or Doe by word or Deed, Directly nor Indirectly, any thing, nor Consent to nor Conceale any person or thing whatsoever, to the Breach of This Solemn Engagement: In Wittness of which, Wee have herevnto sett Our hands, Dated In Councill At Philadelphia, the Thirty-first day of y^e first Mo. 1690.

THO. LLOYD, p^residen^t.

John Symcock,	J. d'haes,
Samuell Richardson,	John Blumston,
John Curtis,	Wm. Clark,
Griffith Jones,	Arthur Cooke,
Griffith Owen,	Thomas Duckett,
John Brinkloe,	Bartholomew Coppock,
Will. Yardley,	Tho. Clifton,
Wm. Stockdale,	Jn ^o Cann,
Luke Wattson,	Wm. Markham, Sec ^y .

The Proprietary's Commission to y^e Prov^l Councill, Constituting them Dep^y Gover^r, was Read at the board.

Thomas Lloyd was vnanimously Continued Presid^t, and to hold the same during this Legislative Councill, and vntill they shall see occasion to alter.

The orders to be observed by y^e Councillors in Councill was Read: Adjorned till 4 in y^e afternoon.

IN Y^e AFTERNOON.

PRESENT:

THO. LLOYD, P^r.

John Symcock,	Wm. Stockdale,	Barth. Coppock,
Wm. Clark,	Jo ⁿ Curtis,	Johanes D'Haes,
Sam ^l Richardson,	Luke Watson,	Wm. Markham, Sec ^y .
Wm. Yardly,	Griff. Jones,	

The Returne of y^e County of Sussex was Read, wherein was Returned Thomas Clifton to serve in Provinciall Councill ffor Three years; And John Hill, Rob^t Clifton, Sam^l Gray, Henry Smith, Babbist New-Come, and Thom. Branscome, to serve in Assembly ffor y^e Ensuing year.

Presid^t. Lloyd informing y^e board that he had Received a letter from a very Credible person, a justice of y^e peace in Sussex County, w^{ch} gave an acco^t of the Deboachery of sd Clifton, and in particular, y^t y^e Clifton in his Discourse, should vse this Expression: that he was not ffor Yea and Nay, but for God Damm You; y^e w^{ch} words y^e said Clifton Denying, y^e board Debated y^e matter, but haveing only paper Evidence, Resolved that He be admitted at present, but vpon ffurther proof made of y^e ffact, Immediately dismissed; and he was admitted accordingly.

The Returne of New Castle County was Read, wherein was returned John Cann to Serve three years in Pro^l Councill; and Edward Blake, Henry Williams, Rich^d Hollwell, John Darby, Wm. Graunt, Jo^a Donalson, to serve in Assembly.

John Cann signed y^e vsual obligation and took his place at y^e board.

Adjor^d till To-morrow, Eight in y^e fforenoon.

Att a meeting of y^e Councill in Philadelphia y^e ffirst of y^e Second Mo., 1690.

PRESENT :

THO. LLOYD, P^r.

Arth ^r Cook,	Griff. Owen,	Johanes D'Haes,
Sam ^l Richardson,	Barth. Coppock,	Luke Watson,
Tho. Duckett,	Wm. Clark,	Thomas Clifton,
Wm. Yardly,	Griff. Jones,	Jo ^a Curtis,
Jo ^a Symcock,	Jo ^a Brinkloe,	Wm. Markham, Sec ^r .
Wm. Stockdale,	Jo ^a Cann,	

Vpon Debate of y^e various methods hetherto have been vsed in Choosing or Electing Representatives, it was Resolved and ordered, that Each County shall hence ffoward Elect or give their Suffrages according to Charter, viz: by y^e ballat.

Adjorn'd till 3 in y^e afternoon.

IN Y^e AFTERNOON.

Present as in y^e fforenoon.

The members of y^e 3 Lower Counties move this board, that y^e next Gene^l Assembly, to be held y^e next Third month, may be at y^e Towne of New Castle, or at Some other place of y^e Lower Counties.

The board went vpon preparinge Severall bills ffor promulgation, Then

adjorned till 8 to morrow morning.

Att a meeting of y^e Councill in Philadelphia. The second day of y^e second month, 1690.

PRESENT :

THOMAS LLOYD, P.

Wm. Clark,	Griff. Jones,	Barth. Coppock,
Jo ^a Cann,	Jo ^a Curtis,	Tho. Duckett,
Luke Watson,	Jo ^a Symcock,	Tho. Clifton,
Johanes D'Haes,	Sam ⁿ Richardson,	Arth. Cook,
Wm. Stockdale,	Griff. Owen,	Wm. Markham, Sec ^y .
Jo ^a Brinkloe,	Wm. Yardly,	

The Returne of Chester County was Read, wherein was Returned John Blunston to Serve Three Years in Provinciall Councill; And John Bristow Wm. Jenkins, Rob^t Pyle, Joshua ffearne, George Maris, Caleb Pusey, to Serve in y^e Assembly ffor y^e Ensuing Year.

Arthur Cook, Wm. Clark & Jos. Growdon, were vnanimously Chosen to be Provinciall Judges ffor the next Provinciall Court, and Ordered that a Comission be Drawn Accordingly.

The motion made Yesterday by y^e members of y^e Lower Counties was Renewed, wherevpon y^e Representatives of y^e Province gave way that y^e next Geneⁿ Assembly should be held at New Castle, and that it might be putt to y^e vote that y^e order of y^e board might be had for y^e same: Which was accordingly don, and Carried in y^e affirmative; and ordered that the secretary give notice thereof to y^e Respective Counties.

The Petition of Thomas Harris was Read, Complayning against y^e County Court of New Castle in a Cause between Olliver Perry of New England, and himselfe. Referd to y^e next sitting of y^e Councill.

Adjorned till Eight To-morrow morning.

At a meeting of The Councill in Philadelphia y^e 3^d of y^e 2^d Mo., 1690.

PRESENT :

THOMAS LLOYD, Presid^t.

Wm. Clark,	Jo ^a Curtis,	Barth. Coppock,
Jo ^a Cann,	Jo ^a Symcock,	Tho. Duckett,
Luke Watson,	Sam ⁿ Richardson,	Tho. Clifton,
Wm. Stockdale,	Griff. Owen,	Arth. Cook,
Jo ^a Brinkloe,	Wm. Yardly,	Wm. Markham, Sec ^y .
Griff. Jones,		

The whole board Resolved into a Committee for preparing of bills to promulgate.

Adjorned till Eight to-morrow morning.

At a meeting of The Councill at Philadelphia y^e 4th of y^e 2^d Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^r.

Jo ^a Symcock,	Griff. Jones,	Barth. Coppock,
Sam. Richardson,	Wm. Stockdale,	Tho. Duckett,
Griff. Owen,	Jo ⁿ Cann,	Arth. Cook,
Wm. Clark,	Wm. Yardly,	Jo ^a Curtis,
Luke Watson,	Jo ⁿ Brinkloe,	Tho. Clifton,

The whole board Resolved into a Committee ffor preparing of bills to promulgate.

Adjorned till 3 afternoon.

AFTERNOON:

PRESENT:

THOMAS LLOYD, P^r.

Wm. Clark,	Griff. Jones,	Arth. Cook,
Jo ^a Cann,	Wm. Yardly,	Tho. Duckett,
Jo ^a Curtis,	Sam ^l Richardson,	Jo ^a Symcock,
Luke Watson,	Barth. Coppock,	Tho. Clifton,
Griff. Owen,	Wm. Stockdale,	Wm. Markham, Sec ^r .
Jo ⁿ Brinkloe,		

In was Ordered by y^e board That y^e Stile of The Authority should be as was those Laws past at Philadelphia The Thirty-first day of y^e first month, 1685, viz: The Gouvernour and ffreemen in Provincial Councill mett, &c.

1 bill. The bill ffor Continuance of fformer Laws was Read, and past N. C. D.

2. The bill ffor y^e Repealing Severall Laws was Read, and past N. C. D.

3. The bill of Repeale of Parts of Severall Laws, Read & past N. C. D.

4. The bill for punishing persons Summons'd to give their Evidence and doth not appear, past N. C. D.

5. The bill ffor y^e Rates of fferryes Read: past in y^e affirmative.

6. The bill ffor an Addition to y^e 15 Law, prohibiting Rum to be sold to y^e Indians, was Read: past in y^e affirmative.

7. The bill about Wages ffor y^e members of Councill and Assembly was Read & past N. C. D.

8. The bill to Constitute Provincial Judges Read & Past N. C. D. adjor^d till To morrow, 9 in y^e fflorennoon.

At y^e meeting of Councill the 5 day of y^e second month, 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Arth. Cook,	Tho. Clifton,
Sam ^l Richardson,	Wm. Stockdale,	Grif. Jones,
Jo ^a Cann,	Jo ^a Symcock,	Tho. Duckett,
Luke Watson,	Barth. Coppock,	Wm. Markham.
John Brinkloe,	Grif. Owen,	

9 bill. The bill about the Dyke at New Castle was Read and past N. C. D.

10. The bill about Rangers was Read & past N. C. D.

The bills that were Read yesterday and to day were againe Read, and past as before.

Adjor^d till 3 in y^e afternoon.

IN Y^e AFTERNOON.

PRESENT:

THOMAS LLOYD, Presid^t.

Wm. Clark,	Barth. Coppock,	Jo ^a Cann,
Sam ^l Richardson,	Tho. Clifton,	Tho. Duckett,
John Symcock,	Wm. Yardly,	Arth. Cook,
Grif. Jones,	Luke Watson,	Grif. Owen,
Jo ^a Brinkloe,	Wm. Stockdale,	Wm. Markham, Sec ^r .
Jo ^a Curtis,		

11 bill. The bill for Custome vpon Rum, &c., was Read, and past in y^e affirmative.

12. The bill ffor Customes vpon Deer Skinns was Read, & past in y^e affirmative.

13. The bill about mercinary pleadings in Courts was Read: past in y^e affirmative.

The Petition of John White was Read, as here verbatim is sett downe, (viz:)

To the Presid^t and Provinciaall Councill of the Province of Pennsilvania and Territorys:

The Petition of John White Humbly sheweth, That your Pet^r being Contrary to Law hindred of y^e proffitt and Exercise of y^e office of Clark of y^e sessions for y^e towne and County of New Castle, to which your petitioner hath Lawfull Claim, He humbly begs y^e benefitt of being heard & Relieved, according to Law; & yo^r Pet^r, as in Duty bound, shall pray, &c.

JOHN WHITE.

The Petition of John White being debated severall times, at Last, in a Legislative Councill, y^e Issue was Resolved by their answer to the following Question:

Whether Commission granted by Wm. Penn to John White, ffor y^e office of y^e Clark of y^e peace ffor y^e County of New Castle, being

to him as long as well behave himselfe, doth not Continue in fforce vntill he shall be Convicted by Due Course of Law, which is by his peers: It was Carried in y^e affirmative.

Griff. Jones Alligeing that he had had his tryall before Gover^r Blackwell and Councill at New Castle, and was Turned out ffor a Misdemeanor in his Office, and therefore Desired his Dissent might be Entred.

The Petition of Samⁿ Carpenter was Read, requesting a bill might be prepared ffor preventing hoggs to goe at Large in townes.

Ord^d, That a bill be Drawne ffor y^e same, to mention only y^e Townes of Philadelphia & New Castle.

adjo^d tenn in y^e fforenoon, y^e 7th Ins^t.

At y^e meeting of the Councill in the Councill Room in Philadelphia y^e 7th of y^e second month, 1690.

PRESENT:

THO. LLOYD, Presid^t.

Joⁿ Symcock,

Joⁿ Cann,

Tho. Duckett,

Griff. Owen,

Tho. Clifton,

Wm. Stockdale,

Joⁿ Curtis,

Wm. Clark,

Grif. Jones,

Wm. Yardly,

Arth. Cook,

Wm. Markham, Sec^y.

Luke Watson,

Samⁿ Richardson,

The whole board Resolved into a Committee to prepare some bills ffor promulgation.

Adjo^d till y^e afternoon.

In y^e afternoon: psent as in y^e fforenoon.

The Secretary's memoriall was Read, which ffollows, verbatim:

PHILADELPHIA, y^e 7th of The second Mo., 1690.

To the Provinciaall Councill now sitting:

The memoriall of Wm. Markham, Sec^y, Humbly offered to yo^r Considerations:

1th. That the Proprietary hath often times sett fforth vnto you y^e great and almost incredible Expences he hath been at in Support of y^e Governm^t, whereby he hath much Impared his Estate, and thereby wronged his ffamily, by maintaining y^e publick wth what belongs vnto them.

2^d. Whereas, there hath been severall acts made and Impositions layd vpon goods Exported and Imported under a pretence to Raise money ffor y^e Proprietary, towards the Support of his Governm^t, whereby many who are very willing to Support y^e necessary Charge thereof are possessed that the Proprietary hath great sums of money given him ffor y^e Defraying y^e Same; which mistake hath, and I ffeare will be more prejudittiall, not only to y^e Proprietary, but to his whole

Government, for I humbly Conceive this board is sensible that it hath not only not brought in one farthing, but Incouraged him still further to Launch out his Estate in Expectation of it, to y^e vse of The Publick; and not only that, but in y^e opinion of your humble Remembrancer, like to Drive the trade from this Province vnto our neighboring Colloney, w^{ch} if once don, will be Difficult to Recover.

3^y. The Proprietary hath often Recommended to this board that some Course by taken for y^e payment of the Subscriptions, w^{ch} was in Lieu of an act or Imposition on Rum, &c.; but nothing hath been Effected therein.

4^y. I Humbly offer to yo^r Considerations the Proprietary's words in his Lett^r to his Commissioners, bearing date y^e 14th of y^e 2^d Mo., 1689, (viz:) Whereas there is 600lb. due to me, which has been Neglected or Refused to be paid, If the Province will build me a house in the City for my Reception, vpon my Lott, leaveing me to make additions hereafter, if there be occasion, I hope to be there as Soon as that is finished: I have sent Capt. Markham my modell: Or stock the three plantations of my Three Children, Each 200l. Comes to the Summ, I shall take it well, and this may be sooner and safer don than Returning me that sum, tho' here it would have done me more good.

5. I further humbly offer to yo^r Considerations what y^e Proprietary was pleased to write to me, in his Letter bearing date y^e 13 2^d Mo., 1689, (viz:) I send to seat my Children's Plantation that I gave them near Pennsberry, by Edw^d Blackfan. Either Lett them settle me 3 Plantations for my Three Children, 200lb. Each, which make vp y^e 600l.; or Lay it out in a City house for me, y^e I may be Encouraged to live among them, tho' it would now doe me more good here.

Lastly. The Sum Expected aforesaid as a Debt due to y^e Proprietary, and ought Immediately to be paid, is a Certain Sum, viz: 600l. which Cannot be Raized but a Tax, or some other Course, as may be Certaine in some Short Time to amount vnto y^e full Sum, Clear of all Charges, and not by Importations or on Navigation, w^{ch} are vncertaine.

WM. MARKHAM, Sec^y.

14 bill, About Two Credible Evidences, was Read, and past in y^e affirmative.

15. The bill about Registry in any Religious Socyety was Read, & past N. C. D.

16. The bill about Hoggs going at Large in y^e Towns of Philadelphia and New Castle was Read, & past N. C. D.

Adjor^d till 9 To-morrow forenoon.

At a Councill in the Councill Room at Philadelphia the Eighth of y^e second month, 1690.

PRESENT:

THO. LLOYD, Presid^t.

John Symcock,	Tho. Clifton,	Luke Watson,
Arth. Cook,	Wm. Clark,	John Curtis,
Sam ^l Richardson,	Wm. Yardly,	Griff. Jones,
Tho. Duckett,	Grif. Owen,	Wm. Markham, Sec.

The Petion of John White, w^{ch} was Read the 5th Ins^t, was Reas-
sumed, wherevpon this ffollowing Recommenditary ord^r was order-
ed by y^e board, (viz):

To Our ffellow members of The Provinciall Councill, and to our
ffriends the Justices ffor the Towne and County of New Castle:

John White, of The said County, haveing made his application
vnto vs ffor Relief against the Continued suspension of him ffrom the
Exercise and proffitts of y^e Office of The Clark of y^e peace for y^e Count-
ty afforesaid, Wee haveing with due Regard to fformer procedures,
& great circumspection, inspecting into and Considering his Com-
plaint, have in a ffull Councill, after severall previous and deliberate
debates, Resolved that y^e Commission granted by Gover^r Penn vnto
y^e s^d John White, ffor y^e office of Clark of y^e peace ffor y^e County of
New Castle, doth notwithstanding y^e Late Suspention, Continue in
fforce, and abides vntill he shall be Convicted by Due course of Law;
and wee fflurther observing that y^e said Office Cannot be well Executed
by y^e Person Commissionated by Cap^t Blackwell, our late Gover^r,
because of The officers power therein with y^e said Gover^r Station in
y^e Governm^t, Wee doe therefore Recommend the said John White
herewith vnto your notice, and ffriendly admission of him in y^e Rein-
vestiture of his Clark's office, and into y^e Exercise of y^e same with
you; And as wee have strictly Enjoyned him, and shall Require y^e
same ffrom him, wee do not much doubt but he will deport himselfe
obligingly, & with Respect & ffaithfulness vnto you.

THO. LLOYD, Presid^t.

[Given by y^e Prov^l Councill y^e 8 of y^e 2^d mo., 1690, at Philadelphia.]

The Petition of Thomas Harris, Requesting Relief ffrom y^e Judg-
ments given against him in the County Court of New Castle County,
both in Law and Equity.

Resolved he should have an order ffor a hearing in The next Prov^l
Court, w^{ch} will be in y^e next seventh month, provided y^e matter of Com-
plaint be not Determined by y^e Consent of both parties, at y^e Councill
at New Castle, and in y^e meantime, notice to be given to John Cann
that he part not with any of y^e Effects he hath in his hands of Oliver
Perry's, or his owners, vntill y^e Determination of the Difference as
aforesaid.

adjo^rd till 3 in y^e afternoon.

AFTERNOON.

PRESENT :

THO. LLOYD, P^r.

Tho. Duckett,	Sam ⁿ Richardson,	Jo ⁿ Symcock.
Jo ⁿ Curtis,	Griff. Owen,	Tho. Clifton,
Luke Watson,	Wm. Yardly,	Wm. Markham, Sec ^y .
Griff. Jones,	Wm. Clark,	

Vppon debate of y^e neglect of y^e Survey^r Gen^ls office and his Extraordinary fees, Resolved & Ord^d that y^e Survey^r Gene^ls Deputy be sent ffor to attend this board, and that Thomas Duckett be desired to take y^e Care of sending ffor him.

The Petition of Benj. Chambers, Tho. Peart and ffancis Rawle, was Read, Requesting ffor themselves and others, that a bridg might be built over, and a wharfe made against Mulberry street. Resolved that when y^e Petitioners shall bring in their proposalls, they shall have a hearing.

Adjor^d till To-morrow 9 fflorenoon.

At a meeting of The Councill in y^e Councill Roome in Philadel-
phia y^e 9th day of y^e 2^d Mo., 1690.

PRESENT :

THOMAS LLOYD, Presid^t.

John Symcock,	Tho. Duckett,	Jo ⁿ Curtis,
Wm. Clark,	Wm. Yardly,	Sam Richardson,
Arthur Cook,	Luke Watson,	Wm. Markham, Sec ^y .
Griff. Owen,		

Benj. Chambers & ffancis Rawle, according to the answer to their petition yesterday, brought in their methods, (viz:) Mulberry Street being not less the Sixty ffoot in breadth in y^e midst of The same, and about twenty perches back ffrom y^e River, wee Intend to Cutt out a Cart Road of twenty ffoot in breadth, ffrom thence to Extend with a graduall Dessent to Low water mark, and to have y^e said passage paved and walled vp with stones on both sides, and to have a bridg over y^e said passage, in y^e midst of y^e ffront Street, and that part wth Remaines vncovered to be ffenced with Railes; and at y^e River End of The said passage, to make a ffree and publick wharfe of Twenty ffoot in breadth on Each side thereof: Whereunto y^e Councill did assent.

Ordered that a Warr^t be made to Impowre Each County, by Their Respective magistrates and Grand Jury, to Divide their respective Counties into hundreds, or such other Division as they shall think most Convenient ffor their Ease in Collecting y^e Levies ffor the De-
fraying y^e Charge of y^e Counties.

adjor^d till 3 in y^e afternoon.

AFTERNOON.

PRESENT:

THO. LLOYD, Presid^r.

John Symcock,	Wm. Clark,	Tho. Duckett,
Griff. Jones,	John Curtis,	Luke Watson,
Arth. Cook,	Wm. Yardly,	Tho. Clifton,
am ^l Richardson,	Griff. Owen,	Wm. Markham, Sec ^r .

The Petition of Ann Young in the behalfe of y^e halfe of herselfe and her husband, Jacob Young, against Edw^d Gibbs, High sherriff of New Castle County, about a seasure made by y^e s^d Gibbs, y^e Sheriff, on y^e Goods and Chatteles of y^e said Young, in a Case between y^e said Sheriff and Young, in which Case y^e said Young had judgment past against him by Default, not Knowing y^e Time he should Appeare.

Ordered that y^e said Ann Young and her husband, have an appeal granted them to y^e Provinciaall Court after y^e next; provided they give Sufficient security ffor the Estate seized, and ffor standing and abiding by y^e Judgment of y^e Provinc^l Court.

adjor^d till 10 to-morrow fflorenoon.

At a meeting of the Councill in the Councill Room in Philadelphia
The 10 of y^e 2^d Mo., 1690.

PRESENT:

THO. LLOYD, Presid^r.

Jo ^s Symcock,	Wm. Yardly,	Grif. Jones,
Arth. Cook,	Jo ^s Curtis,	Tho. Clifton,
Griff. Owen,	Sa. Richardson,	Luke Watson,
Wm. Clark,	Tho. Duckett,	Wm. Markham, Sec ^r .

17 bill. The bill ffor Regulating the Surveyⁿ ffees Read, and past in y^e affirmative.

John Blunston, a member of Councill ffor y^e County of Chester, haveing absented y^e service thereof sometime, and y^e board being informed by y^e other members of The said County, that y^e said Blunston at his Election was much ag^t his being Elected, & still Continues very vneasy and much Indisposed to serve, Ordered the secretary write to him to have his Resolution therein.

adjor^d till 2 in y^e afternoon.

In y^e afternoon. Present as in y^e fflorenoon.

The Commission for the Provinciaall Judges, viz: Arth. Cook, Wm. Clark & Joseph Growdon, was this day signed by y^e Presid^r, bearing date y^e 1^o Ins^t. to Continue only ffor this present Court.

Joseph Taylor presented y^e Councill with a writing wherein he informed the board y^t he made Choyce of Arth. Cook to be his Guardian, & Desired it might be Entred on y^e minutes accordingly.

adj. till To-morrow, 9 florenoon.

At a meeting of the Councill in y^e Councill room in Philadelphia The 11 of y^e 2^d Mo., 1690.

PRESENT:

THO. LLOYD, Presid^t.

Wm. Clark,	Wm. Yardly,	Arth. Cook,
Jo ⁿ Symcock,	Luke Watson,	Jo ⁿ Curtis,
Sam ⁿ Richardson,	Griff. Owen,	Tho. Clifton,
Tho. Duckett,	Griff. Jones,	Wm. Markham, Sec ^y .

A Letter bearing date y^e 2^d of Apⁿ, Directed to Thomas Lloyd, Presid^t of Pennsylvania, was Read: it was subscribed Jacob Leislear; the purport was to send some agent to New York to treat with them of York and other Collonies, about some Cours to preserv themselves ffrom yei^r Enemies, y^e ffrench.

Ordered that the Commission of The peace ffor y^e Three Lower Counties be Renewed, and y^t They runn by y^e King's Authority.

Vpon severall Debates Concerning the office of The Clark of y^e peace ffor this County, it was generally refferred to y^e Disposall of the present Master of y^e Rolls, he being the Chief Officer of Reccords.

Vppon a proposall Concerning a Sheriff to be Chosen ffor Bucks County, the present Sheriff Expressing his vnwillingness to serve longer, as the board were informed, Therevpon Wm. Yardly was agreed vpon to be Commissionated ffor y^e said place.

Adjor. till 9 to-morrow fflorenoon.

At a meeting of The Councill in y^e Councill room In Philadelphia The 12 of The 2^d Mo., 1690.

PRESENT:

THO. LLOYD, Presid^t.

Wm. Clark,	Sam ⁿ Richardson,	Luke Watson,
Arth. Cook,	Win. Yardly,	Wm. Markham, Sec ^y .
Jo ⁿ Symcock,		

After some Debate about Commissionating officers, &c.,

Adjor. till 3 in y^e afternoon.

MINUTES OF THE IN THE AFTERNOON.

PRESENT :

THO. LLOYD, Presid^t.

John Symcock,

Sa^{ll} Richardson,

Tho. Clifton,

Luke Watson,

Joⁿ Curtis,

Wm. Markham.

Tho. Duckett,

Vppon y^e Reading of The Petition of John Buzby, who married the Daughter of Christopher Taylor, Deceased, Requesting a Devision of y^e Estate of y^e said Chris. amongst his Children, Arthur Cook and Sam^{ll} Richardson Desired to Endeavour an Equall partition, more Especially of y^e perishable part of y^e s^d Estate, which lyes in Thomas Hooton's Custody, and Thomas Hooton is hereby Ordered to Deliver The said Goods to y^e order of The Referees before named.

Vpon y^e Reading y^e Pet. of y^e Legatees of Ja. Claypoole, Requesting y^e Care of y^e Councill in inspecting into the mannagem^t of the administration intrusted in their Eldest Brother's hands Chiefly, It was ordered that y^e said Brother shall have notice to answer the legatee's Exceptions herein in y^e next Councill.

John White Requesting the Councell to signifie their sense to y^e Justices of New Castle County, to order James Claypoole to give vp the County Seale and Records vnto him, The board thought The Order granted in his behalfe, Directed to their members and Justices, was Sufficient ffor y^e present.

Adjor^d Till To-morrow, 9 in y^e forenoon.

At a meeting of The Councill in The Councill room in Philadelphia y^e 13th of y^e 2^d Mo., 1690.

PRESENT :

THO. LLOYD, Presid^t.

John Symcock,

Tho. Duckett,

Joⁿ Curtis,

Arth. Cook,

Grif. Owen,

Luke Watson,

Wm. Clark,

Tho. Clifton,

Wm. Markham, Sec^{ry}.

Three Commissions of Peace ffor The Three Lower Counties were signed by y^e presid^t, bearing date y^e 11 of y^e 2^d Mo., 1690.

Adjorned till The 15th Ins^t.

At a meet. of The Councill in the Councill room the 15th of y^e 2^d Mo., 1690, in Philadelphia.

PRESENT :

THO. LLOYD, Presid^t.Joⁿ Symcock,

Luke Watson,

Grif. Owen,

Arth. Cook,

Tho. Duckett,

Sam^{ll} Richardson,

Wm. Clark,

Joⁿ Curtis,Wm. Markham, Sec^{ry}.

The Councill mett this day to appoynt a time to adjorne to, and Did Conclude off and adjornd accordingly to y^e 12 of y^e 3^d Mo. next, vnless the Presid^t and 6 members see Cause of any Emergent occasion to meet sooner; or in his absence, by notice given by any six members Else, hence ffrom this place.

Before the Departure of The Councill out of The Councill, a lett^r Came to the board ffrom John Blunston, in answer to y^e Secretary's, by ord^r of this board on y^e 10th Ins^t, w^{ch} being Read, and his Resons ffor Excuseing him to serve in Provinciaall Councill being allowed, It was ordered a writt should be forthwith sent to the Sheriff of Chester County to Summons y^e ffreemen of The said County to meet at Chester on y^e 22 Ins^t, to Elect one to serve in his Room; the w^{ch} writt was signed by y^e Presid^t.

Then adjor^d as before.

At a Councill in The Councill Room in Philadelphia The 24th of y^e 2^d Mo.. 1690.

PRESENT :

THO. LLOYD, Presid^t.

Arth. Cook,

Griff. Jones,

Griff. Owen,

Sam^l Richardson,

Tho. Duckett,

Wm. Markham, Sec^y.

A Lett^r was Read ffrom y^e Assembly of Maryland, bearing date y^e 11th of Ap^r, 1690.

The Presid^t is Desired to returne an answer ffrom himselfe & y^e board to y^e Late speaker of The Assembly in Maryland.

The Petition of severall of The ffreemen of This Province willing and Ready to bear Armes in Defence of The same, was Read; which ffollows verbatim, (viz:)

To The Honeb^{le} the Provinciaall Councill, now Dep^y Gover^r of y^e Province of Pennsilvania.

The Humble Petition of some of The Inhabitants willing and Ready to bear Armes ffor y^e service and Deffence of This Govern^{mt}, Sheweth:

That whereas, there is a warr between y^e Crownes of England and france, and that our Enemies, the ffrench, have barbarously murdered many of his Maj^{ty} Subjects, very near y^e Confines of this Province, w^{ch} have struck no Small terrour in vs and our ffamilyes, and may happen to Attack vs when wee Least think of it, wee humbly pray that you, our Gover^r, will be pleased forthwth to settle y^e Country in Such a posture that we may be able by fforce of Armes, to Defend it against any assault of our Enemies; and as in Duty bound, shall pray.

Wm. Markham,

Lacy Cock,

Swan Swanson,

Jo^h Holme,

Andrew Rinkson.

The board being informed that Lassie Cock intends vp y^e Skoolkill among our Indians, y^e begining of y^e next week, doe request that y^e presid^t, with y^e present members, give Instruction to y^e said Lacy Cock to make perticular Enquirie Concerning y^e store and quantity of Ammunition in y^e Custody of y^e ffew ffrench ffamilies seated vp the said River, and in Case he shall finde greater store then shall be judged Expedient to be left there, to have y^e same secured, in ord^r to be brought to Barnabas Willcox's store, assuring the owner's Reasonable satisfaction ffor the same; and ffurther, that such of y^e s^d ffrench who may be justly suspected of vnfaithffullness to this province, may be, by y^e most sutable meanes, perswaded downe here; and that y^e Chief Sachem of our Indians may be assured of our good Intention towards them and their people, and that wee desire a meeting with their Cheif men as soon as they Cann Conveniently, giving vs notice of The time nine or tenn days before, and if he sees occasion to Imploy four or six Likely and trusty persons of Them to Range along the most likely parts, ffor y^e Discovering of any Designs of y^e ffrench, or their Indians, against the peace, who shall have Competent satisfaction at their Return to vs. And our desire is that Capt. Markham, Rob. Turner, with such Credible persons as may be perswaded vpon this service, goe along with y^e said Lassie Cock, and that he vpon all occasions, take y^e advice & Concurrence of y^e said persons; And in y^e meantime, Care be taken ffor sutable presents ffor them at their meeting with vs.

The Councill adjor^d till y^e 12th 3^d month, vnless y^e Presid^t and 6 members, See Cause, vpon any Emergent occasion, to meet sooner, or in his absence, by notice given by any six members Else hence.

At a Councill held at New Castle y^e 12 of y^e 3^d Mo., 1690.

PRESENT:

THOMAS LLOYD, P^r.

Jo ^a Symcock,	Griff. Owen,	Tho. Duckett,
Arth. Cook,	Wm. Stockdale,	Jo ^a Brunkloe,
Jo ^a Cann,	Barth. Coppock,	Joha. D'Hawes,
Sam. Richardson,	Luke Watson,	Wm. Markham, Sec ^r .

The Returne of Chester County ffor Wm. Howell to serve In Provinciall Councill in y^e Roome of John Blunston, was Read. He appeared not, but a Letter ffrom him, Directed to y^e board, bearing date y^e Eighth of y^e 3^d month, 1690, w^{ch} was Read, setting forth his Incapassity, &c., of givinge Such attendance as is Requisite to that service, Deferd at present, and to be Resolved before y^e Risinge of this Legislative Councill.

The Committee appoynted to Receive proposalls ffrom y^e Assembly, vpon Amendments of y^e promulgated bills, is Arth. Cook, Grif. Owen, Jo^a Symcock, Jo^a Cann, Jo^a Brinkloe, Luke Watson,

The Petion of Adam Johnson was Read, &c. The board not having any Certain Knowledge of y^e matter, nor Copy of any Record before them, Defered it for the present.

The Pet. of James ffox was Read, &c. Defer'd till afternoon adjor'd till 4 in y^e afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, P^r.

Arth. Cook,	Jo ^a Symcock,	Johanes D'Hawes,
Wm. Clark,	Griff. Owen,	Jo ^a Brinkloe,
Jo ^a Cann,	Wm. Stockdale,	Griff. Jones,
Sam Richardson,	Luke Watson,	Wm. Markham, Sec ^r .
Tho. Duckett,	Barth. Coppock,	

James ffox's Pet., w^{ch} was Read in y^e forenoon, was again Read, Complayning ag^t James Walliam, y^e King's Collect^r ffor selling tobacco he seized, pretendedly by virtue of a judgment obtained in y^e County Court of New Castle: an abstract of y^e Proceedings of y^e said County Court was also Read at this board.

The Assembly Came to this board. Joseph Growdon, a member thereof, acquaints y^e Councill that y^e Assembly had Chosen them their Speaker.

The bills No. 1, 2, 3, 4, 5, 6, w^{ch} were promulgated, were given to y^e Speaker.

Griff. Jones, a member of This board, acquaints the Councill that Wm. Yardly, an other member, Could not attend his Duty through Indisposition.

James Walliam, y^e King's Collector, being sent ffor to this board, to answer y^e Complaint of James ffox, appeared and promised that tomorrow morning he would appear againe, to give further satisfaction. adjorn'd till 7 tomorrow morning.

At a Councill at New Castle y^e 13th 3^d Mo., 1690.

PRESENT:

THOMAS LLOYD, P^r.

Sam ⁿ Richardson,	Wm. Stockdale,	Luke Watson,
Grif. Owen,	Jo ^a Brinkloe,	Tho. Duckett,
Barth. Coppock,	Jo ^a Curtis,	Wm. Clark,
Griff. Jones,	Arth. Cook,	Wm. Markham, Sec ^r .
Joha. D'Hawes,	Jo ^a Symcock,	

James Walliam, y^e King's Collector, not appearing according to y^e minute yesterday, was sent for, but was gon out of Towne.

Wm. Clark was added to y^e Committee appoynted yesterday, and any 4 of them to be a Quorum.

Edw^d Gibbs, High Sheriff of New Castle County, and Hugh Masland, Butcher of y^e said Towne, were sent for to appear before this board. Hugh Masland's attestation was Read, w^{ch} is as followeth; verbatim: Vpon the Request of James ffox was Hugh Masland solemnly attested, who Declares that being vpon a Jury in a plea Depending y^e 23 Ins^t., James ffox, pl^t against James Walliam, George More, Vnder Sheriff, Came among them, and severall times vrged y^e Cause against James ffox; and that Edw^d Gibbs persuaded the Deponent to agree wth y^e Rest of y^e Jury in behalfe of James Walliam, ffor y^t y^e said Edw^d Gibbs said it was suspected y^t y^e Deponent was Concerned with Tobacco ffrom Maryland in y^e Like Kind, which he and the Collector had Discoursed together about, and it might be well enough: And likewise persuaded him not to be so Stubborne, as haveing heard he was y^e only man stood out; but that y^e said discourse took noe Effect wth them, and that Edw^d Gibbs said to y^e Depon^t, he would promise vpon his word, if the Deponent would agree wth y^e Rest of y^e Jury, he should no ways be Damnified by reason of any suspicion of y^e Depon^t being Concerned in y^e Like Nature, and further Saith not.

Taken before vs this 25 Aprill, 1690.

John Cann,
Joha. D'Haes,
Edw^d Blake.

Hugh Masland ownes y^e attestation. The Sheriff and Hugh Masland being interrogated, &c., and y^e whole matter Debated, Defer'd y^e Conclusion till to morrow morning, at which time it was ord^{ed} that James Walliam, y^e King's Collector, attend this board.

Rich^d Curtis and Rob^t Pyle, two members of y^e Assembly, Came to y^e board for y^e Rest of y^e Promulgated bills, w^{ch} was Delivered them. No. 7 to 17.

Adjorn'd till 3 in y^e afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, P^r.

Arth ^r . Cook,	Thomas Duckett,	John Brinkloe.
Wm. Clark,	John Cann,	Joha. D'Haes,
Grif. Jones,	John Symcock,	Barth. Coppock,
Sam ⁿ Richardson,	Wm. Stockdale,	Griff. Owen,
Jo ^a Curtis,	Luke Watson,	Wm. Markham, Sec ^r .

Credible Information being given to this board that John Richardson, y^e Elder of Kent County, hath behaved himselfe so violently and Inhumanely towards his wife, that it is much feared he may be her Death; wherevpon it was ordered y^t a warr^t be sent downe to y^e Justices of y^t County, to make thorow Examinnation into y^e matter, wth Direction that vpon sufficient proof, to bind him over to his good behaviour, & to secure him in prison vntill he find good & able secur.

Cap^t Peter Alrichs Came into y^e Councill Roome and presented to this board a Commission from Gover^r Penn to himselfe, bearing date y^e 18 8ber, 1683, Constituting him Leift, and Com^{dr} in Chief of y^e Towne and flort at New Castle, &c., w^{ch} was Read; and Likewise, he produced a paper of Subscription of severall persons that had Listed themselves to serve y^e Country vpon any occasion of an Enemies approach, w^{ch} was Likewise Read.

adjorned till 8 to-morrow morning.

Att a Councill at New Castle y^e 14th 3 Mo., 1690.

PRESENT:

THOMAS LLOYD, P^t.

Arth ^r Cook,	Griff. Jones,	Luke Watson,
Sam. Richardson,	Wm. Stockdale,	John Cann,
Griff. Owen,	Jo ⁿ Curtis,	Joha. D'Haes,
Tho. Duckett,	Barth. Coppock,	Wm. Clark,
Jo ⁿ Symcock,	Jo ⁿ Brinkloe,	Wm. Markham, Sec ^{ry} .

According to y^e notice sent yesterday to James Walliam, Collect^r of y^e King's Customs, he appeared, & likewise James ffox.

James Walliam produced his Instructions from Patrick Mien, Esq^r., Surver^r Gen^l of his Maj^{ty} Customs in y^e American Plantation.

Vppon y^e Debate of y^e tryall vppon a seizure made by James Walliam, of about 40 hdds. of Tobacco of said James ffox's, y^e Clark of y^e County of New Castle was sent with y^e Record of y^e said tryall.

The Petition of James ffox, w^{ch} was Read y^e 12 Ins^t, was againe Read: James Walliam, against whome he petitioned, being present.

Adjor^d till 4 Afternoon.

IN Y^e AFTERNOON, 14 3 Mo., 1690.

PRESENT:

THOMAS LLOYD.

John Symcock,	Luke Watson,	Barth. Coppock.
Arth ^r Cook,	John Cann,	Jo ⁿ Brinkloe,
Wm. Clark,	Tho. Duckett,	Wm. Stockdale,
Griff. Owen,	Sam. Richardson,	Joha. D'Haes,
Grif. Jones,	Jo ⁿ Curtis,	Wm. Markham, Sec ^{ry} .

The Difference between James ffox and James Walliam, y^e King's Collect^r, was Reassumed, and y^e Records of y^e County Court of New Castle, where y^e tryall was Exammined; and vpon Debate it was Resolved that y^e said Walliam and ffox be spoken to to End y^e Difference between themselves, before this board proceeds any ffurther in it.

Adjorn^d till 9 to-morrow morning.

New Castle, At a Councill y^e 15th 3 Mo., 1690.

PRESENT:

THOMAS LLOYD, P^r, wth y^e Rest, as yesterday.

The Committee of This board presented the Promulgated bills they had Received from a Committee of y^e Assembly, with y^e Assembly's Amendments and Rejectm^s, which were Allowed off according to their proposalls, tho' the forme of Drawing y^e said Amendments into Bills may be properly y^e Concerne of This board, and that their Committee be informed of their mistake in their Resolve vpon y^e first bill.

Resolved that y^e Committee of y^e Councill acquaint the Assembly that to-morrow morning they shall be Ready, if y^e Assembly Can, to pass all y^e bills that are to be passed.

Adj^d till 7 to-morrow morning.

At a Councill in y^e Court-house at New Castle, y^e 16th 3^d Mo., 1690.

PRESENT:

THO. LLOYD, P^r.

John Symcock,	Arth. Cook,	Jo ⁿ Brinkloe,
Tho. Duckett,	Jo ⁿ Cann,	Luke Watson,
Griff. Owen,	Sam ^l Richardson,	Wm. Stockdale,
Griff. Jones,	Joha. D'Haes,	Barth. Coppock,
Wm. Clark,	Jo ⁿ Curtis,	Wm. Markham, Sec ^r .

The Councill mett in this place, that they might have Roome to make a Gen^l Assembly.

The Councill being Called over and Satt, the Assembly was Called in; and being asked by the Presid^t whether they were Ready to pass or Reject y^e bills as promulgated, varied, or added vnto, Said they were. They took their places, and made a Gen^l Assembly.

1th. The first bill was Read, wth its amendments: past N. C. D.

2^d. The Second bill was Read: past N. C. D.

3. The third bill was Read: past N. C. D.

4. The fourth bill was Read: past N. C. D.

5. The fifth bill was Read: past in y^e affirmative.

6. The Sixth bill was Read: past N. C. D.

7. The Seventh bill was Read: Rejected.

8. The Eighth bill was Read; Past N. C. D.

9. The Ninth bill was Read: Past N. C. D.

10. The Tenth bill was Read: Past N. C. D.

11. The Eleventh bill was Read: Rejected.

12. The Twelveth bill was Read: Rejected.

13. The Thirteenth bill Read, & Rejected.

14. The fourteenth bill Read, & Past N. C. D.

15. The fifteenth bill Read, and past N. C. D.

16. The Sixteenth bill Read, & past N. C. D.

17. The Seventeenth bill was Read, & past in y^e affirm.

The Geneⁿ Assembly adjourned at this time, till y^e Gover^r & Council should Dismiss them.

The Council adjourned till y^e afternoon, to y^e place of Their Sitting, Cap^t fforatt's house.

In y^e Afternoon: Present as in the forenoon.

Ordered that y^e Secretary make vp the acco^t of Buoy mony with in a month.

Two members of The Assembly Came to acquaint the board that the Assembly were Ready (when the Council pleased) to Receive their Discharge. Appoynted they should Come about two hours hence.

Ordered a Commission should be Drawne ffor Rich^d Holwell to be High Sheriff of New Castle County, to Commence y^e first of August, to Continue for one whole year.

The Petition of White was Read, Humbly Requesting he might be Re-Invested in his office of Clark of New Castle County, Alligeing he was Illegally turned out of The Same.

Resolved by y^e majority of the board, that he shall have an Order ffor y^e Delivery back to him the Records of y^e said County Court. The wording of y^e ord^r is Referd to y^e Presid^t & Secretary.

The Petion of Sam^l Atkins was Read, Complayning against Wm. Clark, a member of this board. Referd to Common Law.

Kent County Commission of y^e peace, dat. 11 2^d Mo., 1690, was Signed by Thomas Lloyd, Presid^t. Justices inserted are Jo^a Brinkloe, John Curtis, George Martin, Dan^l Jones, John Walker, Mark Manloe, Wm. Lawrence, Wm. freeland Tho. Rouse, Wm. Manloe, Jo^a Betts, Symond Hirons.

One of The same date ffor New Castle County, was also Signed. The Justices were Peter Alrichs, John Cann, Wm. Stockdale, Ew^d Blake, Cornelius Empson, Joha. D'Haes, Pet^r Bainton, Charles Rumsey, Rob^t Ashton, John Hayly and Hen. Williams.

Ord^d Rob^t Robinson have a Commission ffor Coroner of New Castle County, and another ffor Thomas Stratton ffor Kent County.

The Assembly was Called in and Received their Discharge ffrom their present service.

The Council adjourned to Philadelphia, The 22^d Ins^r.

At a Council in y^e Council Roome in Philadelphia y^e 22 of y^e 3^d Mo., 1690.

PRESENT:

THOMAS LLOYD, P^r.

John Symcock,

Grif. Owen,

Wm. Clark,

Sam^l Richardson,

Arth^r Cook,

Wm. Markham, Sec^r.

Some number of Indians this day Coming into the towne, supposing to make application to the Governm^t, Ordered that Cap^t Lawrence Cock be sent for, to be in Towne by Eight to-morrow morning, to Interpret; and in Case y^e Councill are not Sitting, that y^e Presid^t, with y^e Present members and Justices, with others, y^e principall Inhabitants, Doe treat them Civilly, Receive their message, and give their answer accordingly.

Cap^t L. Tort makeing his application to y^e Councill that he may have liberty to goe for England, Resolved that he may, provided he performs the Laws of Governm^t in that Case provided.

Ordered that Nehemiah field have a Lycence to Keep ordinary at Lewis.

adjorn'd till further Order.

At a meeting of y^e Councill in the Councill Room in Philadelphia the 30 of y^e 5th Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

Joⁿ Symcock,

Barth. Coppock,

Griff. Jones,

Griff. Owen,

Sam^l Richardson,

Wm. Markham, Sec^y.

Arth. Cook,

Notice being given to this board by y^e Justices of Sussex County, y^t y^e Sheriff of y^e said County intends suddenly ffor England, and Recommending Sam^l Preston as a fitt person to Supply y^e place, a Commission was this day signed ffor him.

In a letter ffrom Edw^d Blackfann vnto y^e Secretary, bearing date at London, y^e 30 9ber., 1689, and Rec^d of Rich^d Morris, Master of y^e Philadelphia march^t, the 15th 5 Mo., 1690, was Inclosed an Order ffrom the Lords of The Privie Councill, Directed (To Our Loveing ffriend, Wm. Penn, Esq^r., Proprietor of Their Maj^{ties} Province of Pennsylvania, in America,) bearing date ffrom y^e Councill Room in Whitehall, y^e 19th day of ffeb., 1688-9, ffor the proclaiming William and Mary, Prince and Princess of Orange, King & Queen of England, ffrance and Ireland, and of y^e Territorys and Dominions Therevnto appertaining; wth three printed Proclamations ffor the Same, and Coppys of y^e oaths to be taken in stead of y^e Oath of Allegiance and Supremacy.

Vppon Debate of y^e aforesaid ord^r ffrom y^e Lords, it was Resolved That Since y^e whole Tenour thereof hath been in Effect performed by an Order ffrom y^e Gover^r and Councill, bearing date y^e 2^d day of y^e 9th month, 1689, and that so long time, by Accidents, hath Relapsed ffrom y^e Date of The said ord^r to y^e Time of Receit thereof, that it was not necessary to publish it.

The Petition of ffran. Cook was Read, Requesting an Equall Devision of y^e Estate of Jame Claypoole, Deceased, amongst his Children. Ordered that John Claypoole Appear at y^e next Councill, to answer y^e said Cook's Complaint.

The Petition of Sam^l Atkins was Read, setting forth that Rich^d Russell hath taken out Execution vpon a judgment obtained ag^t him, y^e said Atkins, by y^e said Russell, in y^e County Court of Philadelphia, held in y^e first month Last past, notwithstanding y^e Court did appoynt Sam^l Carpenter and Benj. Chambers to adjust their acco^{ts}, and to make Returne thereof to y^e next Court. Ordered That Sam^l Carpenter and Benj. Chambers be Desired to End y^e Difference depending between y^e said Russell and Atkins, w^{ch} was Refer'd to them by y^e said County Court of Philadelphia, and make Returne of Their so doing to y^e next said County Court.

Ordered that notice be given to all y^e members of Councill, that they meet at Philadelphia y^e 4th 7 Mo. next, To Commissionate Prov^l Judges.

Adjoin^d till 3 in y^e afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,

Arth. Cook,

Griff. Owen,

Grif. Jones,

Sam. Richardson,

Wm. Markham, Sec^y.

The Councill vnderstanding that James Claypoole, Clark of New Castle County, was in Towne, sent for him, and asked him his Reason why he did not obey y^e order Directed to him to Deliver y^e writings and Seal of y^e said County to Jo^a White. His answer was that before y^e order Came downe, the Court had Commanded him to Deliver vp their Records to them, and that he did deliver y^e same to them in open Court. The Councill therevpon signified to him that what Act he shall doe as Clark for ye ffuture shall be looked vpon as of no Effect.

Ordered that notice be given to y^e Magistrates of Kent County, that y^e Councill hath thought fitt (vpon an Ill Character of John Richardson, jun^r.) to make voyd y^e Lycence he had to keep ordinary, and that they are desired to take Care it be suppressed accordingly.

Ordered That Benj. Chambers have a warr^t to Constitute him a Water-Baly for y^e Province of Pennsylvania.

Ord^d Blank Commissions to be drawne for Coroners.

adjoin^d till y^e 4th 7 Mo. next, or till further order.

At a meeting of y^e Councill in y^e Councill Room at Philadelphia y^e 4 7 Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid^t.

John Symcock,

Griff. Owen,

Barth. Coppock,

Arth^r Cook,

Wm. Yardly,

John Brinkloe,

Tho. Duckett,

Wm. Stockdale,

Wm. Markham, Sec^y.

Sam^l Richardson,

Griff. Jones,

The Petition of Sam^l Atkins was Read, setting forth that Rich^d Russell hath taken out Execution upon a judgment obtained by him, &c. said Atkins, &c. &c. said Russell, in &c. County Court of Philadelphia, held in &c. first month last past, notwithstanding &c. Court did appoint Sam^l Carpenter and Benj. Chambers to adjust their accounts, and to make Return thereof to &c. next Court. Ordered That Sam^l Carpenter and Benj. Chambers be Desired to Read &c. Distance depending between &c. said Russell and Atkins, &c. was Ref^d to them by &c. said County Court of Philadelphia, and make Return of their so doing to &c. next said County Court.

Ordered that notice be given to all &c. members of Council, that they meet at Philadelphia &c. 4th Mo. next, To Commissionate Prior Judge.

Adj^d till 3 in &c. afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, Presid.
John Symcock, Arth. Cook, Griff. Owen,
Grit Jones, Sam. Richardson, Wm. Markham, Secy.

The Council vnderstanding that James Claypoole, Clerk of New Castle County, was in Towne, sent for him, and asked him his Reason why he did not obey &c. order Directed to him to Deliver &c. writings and Seal of &c. said County to Jo^s White. His answer was that before &c. order Came downe the Court had Comanded him to Deliver vp their Records to them, and that he did deliver &c. same to them in open Court. The Council thereupon signified to him that what Act he shall doe as Clerk for &c. future shall be looked upon as of no Effect.

Ordered that notice be given to &c. Magistrates of Kent County, that &c. Council hath thought fitt (upon an ill Character of John Richardson, Jun^r), to make void &c. License he had to keep ordinary, and that they are desired to take Care it be suppressed accordingly.

Ordered That Benj. Chambers have a writ to Constitute him a Water-Bailly for &c. Province of Pennsylvania.

Ord^r Blank Commissions to be drawne for Charters adjourn till &c. 4th Mo. next, or till further order.

At a meeting of &c. Council in &c. Council Room at Philadelphia &c. 7 Mo. 1800.

PRESENT:

THOMAS LLOYD, Presid.
John Symcock, Griff. Owen, Barth. Coppock,
Arth. Cook, Wm. Yarbly, John Brindley,
The Duckett, Wm. Stockdale, Wm. Markham, Secy.
Sam^l Richardson, Grit Jones.

It was y^e sense of y^e majority of This board, and Griff. Jones was desired to Deliver it to William Markham, that y^e said Markham should Deliver y^e seal and Records of y^e County of Philadelphia to y^e master of y^e Rolls, or his order.

The Address of y^e Justices of y^e County Court now sitting in Philadelphia, was Read, Complaining against William Markham for not delivering y^e Records and seal of y^e Said County.

adjorn^d till to-morrow, 7 in y^e morning.

At a meeting of y^e Councill in y^e Councill Room in Philadelphia y^e 5 7 Mo., 1690.

PRESENT :

THOMAS LLOYD, Presid^t.

John Symcock,	Griff. Jones,	Barth. Coppock,
Arth. Cook,	Theo. Duckett,	Griff. Owen,
Wm. Yardly,	Wm. Stockdale,	Wm. Markham, Sec ^r .
Sam ^l Richardson,		

A Lett^r was Read from Cadwallader Jones, Gover^r of New Providence, bearing date from thence y^e 30th July, 1690, with a Proclamation from y^e sad Gover^r to Incourage those who has any Claime any land there to Returne.

The Address of y^e Justices of y^e County of Philadelph. for a further Strengthening y^e Authority of y^e watch was Read. The board Returned Answer that they well approved of Their address, and shall give due Continance to y^e Same vpon all occasions. It was putt to y^e vote whether Wm. Markham should bring y^e seal and Records of y^e County of Philadelphia and Deliver y^e same vp to this board: it was Carried in y^e affirmative.

Wm. Markham, by Consent of y^e board, Entred this for his Reply: that he was Keeper of y^e Rolls and seal by Commission, during good behaviour, and his Commission not being Legally vacated, nor any misbehaviour laid to his Charge, he thinks it his duty to Keep them still in his Possession.

The Councill having Thorowly Considered his Reply to their ord^r for y^e Delivery of y^e seal and Records of This County, And being Gen^l Satisfied that his Commission Determined wth Cap^t Blackwell's Station in y^e Governm^t, doe look vpon his Reply a Contempt to y^e ord^r of This board.

Vpon y^e Reading of y^e Petition of Severall of y^e Inhabitants of Philadelphia, Requesting the Care of y^e Councill in Reference to a Certaine vssell, whereof John James is master, Ordered that notice be given to the master, if in Towne, to Appear in y^e afternoon to answer y^e Complaint, and that Sam^l Carpenter, wth y^e Rest of y^e Petitioners, attend accordingly.

Adjorn'd till 3 in y^e afternoon.

Afternoon : Present as in y^e forenoon.

The Petition of James ffox was Read, Requesting a Remission of y^e Governour's part of 42 hdds. of Tobacco, wth was Seised and Appraised at Nine p. hdd. The board ordered that it Should be left vncollected vntill y^e Gover^r be acquainted therewth.

John James, against whome y^e Complaint in y^e forenoon was Exhibited, not being in Towne, it was Defer'd till y^e next sitting.

The Judges appoynted are Arthur Cook, John Symcock, Joseph Growdon, Peter Alrichs, Thomas Wynn.

adjoind till to-morrow, 7 in y^e forenoon.

At a meeting of y^e Councill in y^e Councill room in Philadelphia y^e 6th of y^e 7 Mo., 1690.

PRESENT :

THOMAS LLOYD, Presid^t.

John Symcock,	Wm. Yardly,	Wm. Stockdale,
Arth. Cook,	Sam ^l Richardson,	Grif. Jones,
Griff. Owen,	Barth. Coppock,	Wm. Markham, Sec ^r .
Tho. Duckett,		

Ord^d that y^e Respective Sheriffs be Charged with y^e Rec^t of y^e Gover^r Rents and Dues. Ord^d That Arthur Cook be added to y^e Comission of y^e peace ffor Philadelphia County, and John Symcock to Chester.

adjoind till y^e 11th Ins^t.

At a Councill in y^e Councill Room at Philadelphia 7ber. 11, 1690.

PRESENT :

THOMAS LLOYD, P^r.

John Symcock,	Tho. Duckett,	Griff. Owen,
Sam ^l Richardson,	Barth. Coppock,	Wm. Markham, Sec ^r .

Sam^l Carpenter, Phil. Richards and Joⁿ Delavall, three of y^e person that Subscribed y^e Petition Read against John James y^e 5th Ins^t., Appeared to prossecute their Complaint against Joⁿ James, be being present.

Vpon y^e Debate of the whole matter, it was Ordered that a further Survey be made vpon y^e vessell, Riggins, &c. of her sufficiency ffor performing her voyage to England, and in Case vpon y^e survey it appears that shée is Insufficient to performe her voyage to England, That The Goods mentioned in y^e Certificate, with y^e Certificate itse, and Letters, be Secured to y^e satisfaction of y^e Governm^t.

Ord^d That y^e Commission ffor y^e Judges be fforthwith drawne and signed by y^e Presid.

Ord^d That y^e Presid^t provide a County seal ffor Philadelphia County.

adjoin. till fflurther ord^d.

At a Meeting of y^e Councill in The Councill Roome at Philadelphia the 21 of 9ber. 1690.

PRESENT :

Wm. Clark,
Johⁿ Cann,

Luke Watson,
Joha. D'Haes,

John Brinkloe,
Grif. Jones.

The members being mett, they proceeded to Choose their Presid^t, and vnanimously Chose Wm. Clark.

The members of Sussex County setting fforth y^t one y^e members of Councill ffor their County, viz : Thomas Clifton, was gon to England, whereby the Attendance of y^e other two may Light too heavy on them, Resolved That a writt be forthwith drawn and Signed by the Present President, to Choose an other to serve During his absence: the day for y^e Election to be on y^e 3^d of y^e next month.

The Councill takeing into Consideration y^e great Dammage and Disappoyntments Caused by the neglect or vnwillingness of y^e Judges to doe their Dutys in Severall Counties, that they were by Law and Commiss^{ns} obliged to Doe, And to the End that that Service may be duly observed and Kept, They Thought fitt to make a new Choyce of Judges, and Chose John Symcock, Wm. Clark, Arthur Cook, Griff. Jones and Edw^d Blacke, who being Singly putt to y^e vote, were vnanimously Chosen.

Ord^d That according to the Proprietary's Example, There be two Commissions Drawne ffor the Judges, that y^e Province may be accommodated, and y^e Counties annex'd, with Each one; in which Commission John Simcock to be placed first in one of Them, and Wm. Clark first in y^e other; The Commissions to be in fforce vntill y^e Sitting of y^e next Gen^l Assembly; And it was vnanimously agreed and ordered that John Cann and John Brinkloe wayte vpon y^e Keeper, in order to have y^e broad seal to them.

Ordered that Commissions be fforthwith drawne for Continuing y^e Clarks of y^e Counties annexed in their Respective places, vntill y^e Proprietary himselfe shall think fitt otherways to order it: Or that y^e Provinciaall Councill, Two of y^e members of y^e Respective County y^e Clark belongeth vnto, Consenting make it voyde.

The members of New Castle County Requests That a faire may be Kept at y^e Towne of New Castle twice a year : it was vnanimously agreed to, and Ordered y^t it be held on y^e 3^d and 4th days of May, and 3 and 4th days of 9ber Annually.

Adjorned till Two in y^e afternoon.

AFTERNOON.

Present as in y^e forenoon.

Resolved that henceforward no Officer be Commissionated or appointed by this board for any of the Respective Counties within this Government, vnless at Least two members of y^t County be present and assent therevnto: The w^{ch} being putt to y^e vote, it past N. C. D.

John Cann & John Brinkloe Returned from wayting on y^e Keeper with y^e Judges Commission to pass vnder y^e broad Seal, and reported that y^e Keeper absolutely Refused to seal them; therefore, it was Ordered that y^e Judges Act by Them vnder y^e lesser seale, as they are. adjourned till flurther order.

Gulielmus et Maria Die Gratia Angliae scotiae Frantia at Hiberniae Rex et Regina Fidei defensores &c. Dilecto Nobis Benjamine Fletcher Armigero Salutem ad cognoscendum et procedendum in quibuscunque Causis civilibus et maritimus atque querelis contractibus delictis sen quasi Delictis criminibus placitis debitis, excambys Computis chartis partitis conventionibus Litibus transgressionibus, injurijs extortionibus Demandis ac negotijs civilibus ac maritimis motis sen movendis quibuscunque inter mercatores aut inter Dominos et proprietarias navium et aliorum Vasorum et mercatores sen alios quoscunque cum eisdem Dominis et proprietarijs navium et caeterorum Vasorum quorumcunque infra Jurisdictionem maritimam Admiralitatis nostrae provinciae Novi Eboraci et Territoriorum eisdem dependentium in America, viz: Coloniarum de Jersey Orientali et occidentali, Provinciae Pennsylvaniae et Regionis Novi Castris ac Omnium terrarum tractuum et Territoriorum eisdem dependentium occupatorum vel usitatorum sen interquascunque alias personas qualitercunque habitis factis initis sen contractis pro aliqua re materia causa vel negotio sen injuria quacunque infra Jurisdictionem nostram maritimam praedictam expeditis sen expediendis, Una cum omnibus et singulis suis incidentibus emergentibus dependentibus annexis et connexio causis quibuscunque ubicunque sen qualitercunque hujusmodi Causa querelae Contractus et alia promissa supradicta veleorum aliquod oriri celebrari, contrah vel fieri contingat, juxta jura statuta Leges Ordinationes et consuetudines ab antiqua observata audiendum et terminandum. Ac insuper in omnibus et singulis querelis contractibus conventionibus et causis et negotijs civilibus et maritimis ultra mare per ficiendis ultrave mare contractis qualetercunque emergentibus sen contingentibus. Ac etiam in caeteris causis et materijs omnibus et singulis quae Jurisdictionem maritimam Admiralitatis nostrae praedictae in Dictis provincia nostra Novi Eboraci et territorijs eisdem dependentibus in America, viz: Colonys de Jersey orientali et occidentali provincia Pennsylvaniae et Regione Novi Castris ac omnibus terrarum tractibus et territorijs eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque quovis modo tanguant sen aliquo modo concernunt vel ab antiquo pertinere debuerunt aut debent. Et generaliter in omnibus et singulis alyjs Causis Litibus Criminibus delictis excessibus injurijs querelis maleficijs sen

quasi maleficy Transgressionibus Regrataris forstallarys et negotys maritimis quibuscunque per Loca prædicta infra Jurisdictionem maritimam admiralitatis nostrae provinciae Nostra Novi Eboraci et territoriorum eidem dependentium in America, viz: Coloniarum de Jersey Orientali et occidentali Provinciae Pennsylvaniae et Regionis Novi Castri ac omnium terrarum tractuum et territoriorum eisdem Dependentium prædict per mare vel aquam aut ripas sen Littora eorundem qualitercunque factis Commissis perpetratis aut emergentibus. Nec Non ad inquirendum per sacramentum proborum et Legalium hominum deditis provincia nostra Novi Eboraci et Territorys eidem dependens in America, viz: Colonys de Jersey orientali et occidentali provincia pennsylvanicae et Regione Novi Castri ac omnibus terrarum tractibus et Territorys eisdem Dependens et partibus maritimis eorundem et eisdem adjacentibus quibuscunque tam infra Libertates et ffrancheiss quam extra ubi Libet Commorantium tam de omnibus et singulis quae de Jure statutis Legibus Ordinationibus vel Consuetudinibus ab antiquo observatis inquiri solent vel deberent quam de wrecco maris ac de omnibus et singulis bonis et Catalis quorumcunque proditorum piratarum Homicidarum et felonum qualitercunque infra Jurisdictionem maritimam admiralitatis nostrae provinciae nostrae Novi Eboraci et Territoriorum eidem dependens in America, Viz: Coloniarum de Jersey orientali et occidentali, provinciae pennsylvanicae et Regionis Novi Castri ac omnium terrarum tractuum et territoriorum eisdem dependentium prædict delinquentium: Ac de bonis debitis et Catallis omnium et singulorum eorum manu-tenentium accessoriorum Consulentium auxilian- tium vel assistentium quorumcunque, Atque etiam de bonis debitis et Catalis quorumcunque personarium felonium de se et ejus libet personae felonis de se infra jurisdictionem nostram maritimam prædictam quovis modo sen qualitercunque ad mortem devenientium ubicunque bona debita et Catalla hujus modi aut aliqua parcella eorundem per mare aquam vel terram indictis provincia nostra Novi Eboraci et territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali provincia Pennsylvaniae et Regione Novi Castri ac omnibus Terrarum Tractibus et Territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque tam infra Libertates et ffrancheiss quam extra fuerint inventa sen invenienda forisfacta sen forisfacienda vel existentia quaecunque. Ac etiam de bonis debitis et Catallis quarumcunque aliarum felonum de se et cujuslibet alterius personae felonis de se infra jurisdictionem nostram maritimam prædict repertis sen reperiendis Contingentibus quibuscunque. Et prætera tam de bonis debitis et Catallis quorumcunque aliorum proditorum felonum et Homicidarum ubicunque Locorum delinquentium. Ac de bonis Debitis et Catallis eorum manutinentium accessoriorum Consulentium auxilian- tium vel assistentium quam de bonis debitis et Catallis quorum cunque ffigitivorum Convictorum attinetorum damnatorum utlagatorum vel in exigendo pro prodicione felonia homicidio vel murthero sen aliquo alio quocunque offenso aut delicto qualitercunque posito sive penendo. Atque etiam de Bonis Waviatis Plotzon SETZON LAGON SHARES THE- SAURO invento sen inveniando Deodandis. Ac de bonis quorumcunque aliorum pro delictis habitis vel habendis sen casu fortuito repertis aut

reperiendis vel qualitercunque debitis sen debendis. Ac De omnibus aly's Casualibus tam insuper vel per mare Littoraque Creças aut Costeras maris vel partes maritimas quam in super vel per aquas dulces portus flumina publica rivos sen Creças aut Loca superinundata quaecunque infra fluxum et refluxum maris sen aquae ad plenitudinem aut super Littora vel ripas alicujus eorundem infra Jurisdictionem nostram maritimam prædictam qualitercunque quando-cunque vel quomodocunque emergentibus contingentibus sive pro-venientibus quibuscunque vel ubicunque bona debita et Catalla hujus-
modi aut cætera præmissa vel aliqua parcella eorundem infra Juris-
dictionem nostram maritimam prædictam reperiantur aut inveniri sen
reperiri contigerint. Ac in super de amheragys et Lastagys sen areuoso
navium operatione Et de piscibus Regalibus, viz: Sturgeonibus Bale-
nis Cetis porpesys Delphinis, riggis ac graspyts et generaliter de
cæteris piscibus quibuscunque magnam sive ingentem Crassitudinem
sive pinguedinem in se habentibus ab antiquo de jure vel consuetudine
ad nos quovis modo pertinentibus aut spectantibus sen aliquo modo
consuetis eademque wreccum maris ac bona debita et catalla et cae-
tera præmissa omnia et singula una cum omnibus et omnimodis finibus
multis exitibus forisfacturis amerciamentis redemptionibus et recog-
nitionibus quibuscunque forisfactis sen forisfaciendis et poenis pecu-
niarys pro transgressionibus delictis injurijs extortionibus contemptibus
accaly's maleficys quibuscunque vel pro aliqua re materia sen causa
quacunque impositis vel inflictis imponendis vel in fligendis qualiter-
cunque in Dictis provincia nostra Eboraci et territorys eidem depen-
dentibus in America, viz: Colonys De Jersey orientali et Occidentali,
Provincia Pennsilvaniae, et Regione Novi Castri ac omnibus terrarum
tractibus et Territorys eidem dependentibus et partibus maritimis
eorundem et eidem adjacentibus quibuscunque in aliqua Curia admiralitatis nostrae ibidem tenta sen tenenda presentatis sen presentandis
assidendis afferendis forisfaciendis sen adjudicandis. Ac etiam unacum
amerciamentis exitibus finibus perquisitis multis et poenis pecuniarys
quibuscunque ac forisfacturis quarumcunque recognitionum coram
Vobis vestiove Locumtenente deputato vel deputatis indictis provincia
nostra Novi Eboraci et Territorys eidem dependentibus in America,
viz: Colonys de Jersey orientali et occidentali, provincia Pennsil-
vaniae et Regione Novi Castri; ac omnibus Terrarum Tractibus et
Territorys eidem Dependentibus et partibus maritimis eorundem et
ysdem adjacentibus quibuscunque audiendis et terminandis assignatis
sen assignandis contingentibus sen impositis aut imponendis vel in fligendis
sen aliquo modo assidendis, afferendis forisfaciendis sen adjudicandis
aut aliquo modo occasione præmissorum Nobis vel Heredibus
sen Successoribus nostris in eaparte qualitercunque Debitis sive De-
bendis quibuscunque pretendum exigendum, Levandum Capiendum,
Colligendum recipiendum et obtinendum ac ad usum nostrum at officij
magnae Admirallæ nostrae Angliæ prædict pro tempore existente cus-
todiendum et conservandum. Ac insuper recognitiones Cautiones
obligationes et stipulationes quascunque tam ad usum nostrum quam
ad quarumcunque partium instantiam pro Conventionibus sen debitis
ac aly's causis quibuscunque capiendum easque executioni ponendum

et exequi faciendum et mandandum. Nec non naves personas, res, bona, merces, ita mercimonia quaecunque pro praemissis et eorum quolibet acalys causis quibuscunque ea concernentibus ubicunque Locorum perdicta provinciam nostram Novi Eboraci et Territoria eidem dependentia in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsylvaniae et Regionem Novi Castri ac omnes terrarum tractus et Territoria eisdem dependentia et partes maritimas eorundem et eisdem adjacentes quascunque infra Libertates et francheiss vel extra fuerint inventa sen reperta Atque etiam pro alys Conventionibus causis sen debitis quibuscunque qualitercunque contractis sive emergentibus dum modo bona sen catalla sen personae debitorum reperiantur infra jurisdictionem nostram praedictam juxta Leges Civiles et maritimas et consuetudines ab antiquo usitatas realiter arrestandum et arrestari faciendum et mandandum Spsasque cum suis emergentibus, dependentibus incidentibus, annexis et connexis Causis et negotys quibuscunque una cum caeteris causis Civilibus et maritimis atque querelis contractibus et alys praemissis omnibus et singulis quibuscunque Superius respective expressis juxta Leges et consuetudines praedictas, ac alys vvs modis et modys Legitimus quibus melius Sciveris aut preteris audiendum examinandum disentiendum et fine debito Terminandum. Ac personas quascunque in ea parte prout casus exiget comparere et respondere cum cujuslibet Coertionis temporalis alteriusque poenae et mulctae potestate juxta Leges et consuetudines praedictas compellendum ac justitiam faciendum et ministrandum etiam juris ordine servato sen velo Levato sine Strepitu et figura justitiae sola facti et rei veritate inspecta procedendum Reosque et Contemptores ac juris sen Jurisdictionis admiralitatis nostrae violatores et Usurpatores delinquentes et contumaciter absentes Nam Ceros Marinarios Remiges piscatores nanpegos et alias operarios et expertos quoscunque res Nauticas quascunque exercentes juxta jura statuta Leges Ordinationes et consuetudines ab antiquo observata mulctandum Corrigendum puniendum Castigandum et reformandum ac in quibuscunque Carceribus infra provinciam nostram Novi Eboraci et Territoria eidem dependens in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsylvaniae et Regionem Novi Castri ac omnes terrarum tractus et territoria eisdem dependentia praedicta existentibus incarcerandum et incarcerari faciendum et mandandum Incarceratosque quascunque in ea parte qui deliberandi fuerint deliberandum et penitus exonerandum et exonerari faciendum et mandandum, Flumina que publica portus rivos et aquas dulces et Creas quaecunque infra Jurisdictionem Nostram maritimam praedictam ubicunque Locorum in Dictis provincia nostra Novi Eboraci et Territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, Provincia Pennsylvaniae et Regione Novi Castri, ac omnibus terrarum tractibus et territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque existunt pro Conservatione tam Classis nostrae ac Classium et Navigiorum Regnorum et dominiorum Nostrorum praedictorum quam piscium in eisdem fluminibus et Locis praedict crescentium quorumcunque Nec Non jura statuta Leges, ordinationes et consuetudines ab antiquo observata in dictis provincia Nostra Novi Eboraci et Territorys eidem

dependens in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsylvaniae et Regione Novi Castri ac omnibus terrarum tractibus et Territorys eisdem dependentibus et partibus maritimis eorundum et eisdem adjacentibus quibuscunque conservandum et exequi et conservari faciendm omniaque et singula alia faciendm exercendm expediendm et exequendum in praemissis et eorum quolibet prout de jure et secundum Leges et statuta Ordinationes et Consuetudines praedict fuerint faciendm. Ac in super Retianimis stricta a calia ingenia sive Instrumenta quaecunque illicita circa prensionem piscium ubicunque Locorum per mare aut flumina publica portus, rivos aquas dulces sen Crecas quaecunque per provinciam nostram Novi Eboraci et territoria eidem dependens in America, Viz: Colonias de Jersey orientali et occidentali, Provinciam Pennsylvaniae et regionem Novi Castri ac omnes terrarum tractus et territoria eisdem dependentia praedict et partes maritimas eorundum et eisdem adjacentes quascunque infra jurisdictionem nostram praedictam ubicunque Locorum per aquam Occupata sive exercitata ac Exercitatores et occupatores eorundem juxta jura statuta Leges ordinationes et Consuetudines praedicta puniendm corrigendm et reformandm, Sententiasque et decreta quaecunque fulminandum promulgandm et interpenendm, Eaque executione demandandm cum cognitione et jurisdictione quarumcunque aliarum Causarum civilium et marimarum, quis sunt maris sen quae mare vel maris pertransitum sive passagium aut Iter navale sive Viagium maritimum vel Jurisdictionem nostram maritimam supradictam sen Loca vel Limites admiralitatis nostrae praedictae et Cognitionem antedictam ac alia quaecunque expedita vel expedienda quovis modo Concernunt sen respiciunt etiam cum potestate procedendi in eisdem juxta jura statuta Leges, ordinationes et consuetudines praedicta ab antiquo usitata tam ex officio mero mixto vel promoto quam ad alicujus partis instantiam prout casus exiget et expediens visum fuerit, Et etiam cum Cognitione et decisianede wrecco maris magno sen parvo ac de morte submersione et Visu corporum mortuorum quarumcunque personarum in mare vel Fluminibus publicis portibus aquis dulcibus sen Crecis quibuscunque infra fluxum maris et aquae ad plenitudinem perdicta provinciam nostram Novi Eboraci et Territoria eidem dependentia in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsylvaniae et Regionem Novi Castri ac omnes Terrarum Tractus et Territoria eisdem dependentia et partes maritimas eorundum et eisdem adjacentes quascunque vel alibi infra jurisdictionem nostram praedictam qualitercunque interfectarum sive submersarum aut interficiendarum sen submergendarum sive murderatarum vel murderandarum aut aliquo alio modo ibidem ad mortem devenientium; Una cum cognitione de Mahemio in Locis praedict infra Jurisdictionem nostram maritimam praedictam ac fluxum maris et aquae ibidem contingenti, Cum potestate etiam puniendi delinquentes in ea parte quoscunque juxta juris exigentiam et consuetudines praedictas caeteraque omnia et singula quae in praemissis tantum et circa ea necessaria fuerint sen quomodo Libet opportuna juxta et secundum Jura Statuta Leges, ordinationes et consuetudines praedicta faciendum exercendm expediendm et exequendum. Tibi de cujus fidelitate et Circumspectionis industria plurimum in hac parte confidimus Vices et

authoritatum Nostras in et per provinciam nostram Novi Eboraci et territoria eidem dependentia in America, Viz: Colonias de Jersey orientali et occidentali, provinciam Pennsylvaniae et Regionem Novi Castri ac omnes terrarum tractus et Territoria eisdem dependentia praedicta et partes maritimas eorundam et eisdem adjacentes quascunque Atque etiam per omnia et Singula Littora maris fluminaque publica portus, aquas dulces Rivos Crecas, ac brachia tam maris quam fluminum et Costerias quacunque dictorum provinciae Nostrae Novi Eboraci et territoriorum eidem dependentium in America Viz: Coloniarum de Jersey orientali et occidentali, Provinciae Pennsylvaniae et Regionis Novi Castri, ac omnium Terrarum Tractuum et Territoriorum eisdem dependentium et partium maritimarum eorundem et eisdem adjacentium quarumcunque infra Libertates et francheiss ac extra Committimus per praesentes ac concedimus, Cum potestate alium vel alios Deputatum sive deputatos quoties Tibi expediens visum fuerit Loco tuo in praemissis deputandi et Surrogandi Ac etiam cum potestate quoscunque alios officarios et ministros pro dicto officio et exercitio ejusdem indictis provincia nostra Novi Eboraci et territorys eysdem dependentibus in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsylvania et Regione Novi castri ac omnibus Terrarum Tractibus et territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque sub Te necessarias idoneos et opportunos (Judice Registrario et marrescallo exceptis) de Tempore in tempus nominandi per ficiendi ordinandi assignandi faciendi et constituendi (Salvo semper Jure Supremae Curiae admiralitatis nostrae Angliae Nec Non Indicis et Registry ejusdm Curiae, Quibus et eorum alteri in aliquo nolumus derogare per praesentes, Et Salvo Jure cujuscunque Laesi et gravati per aliquam Sententiam Definitivam, sive decretum Inter Locutorium in Curia vice admiralitatis provinciae nostrae Novi Eboraci et territoriorum eidem dependentium in America, Viz: Coloniarum de Jersey orientali et occidentali, provinciae Pennsylvaniae et Regionis Novi Castri ac omnium terrarum tractuum et Territoriorum eisdem dependentium praedict ferendum ad Supremam Curiam admiralitatis nostrae Angliae praedict appellandi) Teque praefatum Benjaminum Fletcher armigerum Vice admirallum Commissarium ac Deputatum nostrum in Officio Vice admiralitatis in provincia nostra Novi Eboraci et territorys eidem dependens in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsylvaniae et Regione Novi Castri ac omnibus terrarum tractibus et territorys eisdem dependentibus praedict et partibus maritimis eorundem et eisdem adjacentibus quibuscunque; Una cum omnibus et Singulis feodis profeicinis advantagys, emolumentis Commoditatibus et pertinentys quibuscunque eidem officio Vice Admiralli Commissary et Deputati in dictis provincia nostra Novi Eboraci et Territorys eisdem dependens in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsylvaniae et Regione Novi Castri ac omnibus terrarum tractibus ac territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque Juxta ordinationes et statuta Supremae Curiae admiralitatis nostrae Angliae praedict debitis et spectantibus Ordinamus proficimus et deputamus per praesentes ad beneplacitum

nostrum tantum modo duratur. Proviso tamen semper et sub hac Lege et conditione Quod si Tu præfatus Benjaminus Fletcher armiger, Nos et Locum Tenentem nostrum supremæ Curiae admirallitatis nostræ Angliæ et indicta Curia et officialem principalem Commissariumque Generalum et Specialem ac ejusdem Curiae præssidentem et Indicem de omni eo quod de tempore in tempus vigore præsentium feceris, executus fueris, colligeris aut reciperis in præmissis vel præmissorum aliquo annuatim, Viz: in fine Cujuslibet anni inter festa Sancti Michaelis Archangeli et Omnium Sanctorum, Cum pleno et fideli Computo Superinde sub authentica forma conficiendo, ac Sigillo officij Nostri in Custodia tua reniamente Sigillando debite non certificaveris et certiolem reddi feceris cum offertu, Extunc et post defaltam in ea parte, hujusmodi Litera nostræ Patentis de officio Vice admiralli prædict Tibi ut p^r fertiri concessæ vacua et irrita erunt nulliusque roboris aut offertus, Mandantes omnibus et Singulis proceribus Justiciarys majoribus Vice Comitibus Capitaneis Senescallis Ballivis et Custodibus Goalarum et Carcerum nostrorum quorumcunque et Constabularys caeterisque ministris et fidelibus subditis et Ligeis nostris quibuscunque et eorum cuilibet tam infra Libertates sen franchiseis quam extra Quod Tibi et Deputato Tuo cuicunque alysq^{ue} officarys ejusdem vice admirallitatis nostræ in provincia nostra Novi Eboraci et territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniae et Regione Novi Castri ac omnibus Terrarum tractibus et territorys eidem dependentibus prædict et partibus maritimis eorundm et eisdem adjacentibus quibuscunque per Te assignatis sen assignandis circa executionem præmissorum et eorum cujuslibet intendentes faventes auxiliantes parentes pariteret obedientes sint in omnibus prout decet sub poena juris et periculo incumbens. Datum Londini in Suprema Curia admirallitatis nostræ Angliæ sub sigillo ejusdem magno.

Decimotertio die mensis, } Anno Dui Millesimo Sextentesimo,
Regniue Nostri Quarto. } nonagesimo secundo.

ORLANDO GEE, Reg. Eius.



BENJAMIN FLETCHER, Captain Generall & Governour in Chief of the province of New-yorke, province of pennsilvania, Countrey of New Castle & the Territories & Tracts of land Depending thereon, in America, Under their majesties, Wm. & Mary, by the grace of God, of England, Scotland, France & Ireland, King & Queen, defendrs of the faith, &c., To William Markham, Esq^r., Lieu^t Govern^r of pennsilvania & the Countreys of New Castle, greeting: By virtue of the power & authoritie granted me by our Sovereign Lord & Lady, Wm. & Mary, by the grace of God, of England, Scotland, france & Ireland, king & Queen, defendrs of the faith, &c., under the great seal of their Admiralty, Constituting & appointing me Vice Admirall of the province of New yorke, Colonyes of East & West Jersey, province of pennsilvania et Countries of New Castle, &c.: And reposing speciall trust in yor fidelitie in this behalf, I doe by these presents Constitute

& appoint you my deputy or Surrogate in the sd office of vice admirall, so farr as it is extended over the s^d province of pennsylvania & Countrey of new castle, And doe by these p^{nts} give & grant unto you, the s^d Wm. Markham, full power and authoritie to doe, execute & perform all things which I my selfe might Lawfullie doe, by virtue of the s^d office of vice admirall, so farr as it is extended over the province of pennsylvania & Countrey of New Castle afores^d, according to the Severall powers, authorities & directions contained in my Commission for the s^d office of vice admirall as aforesaid, (which I have Caused to be registred in the province of pennsylvania,) & such other instructions as you shall from time to time receive from mee, undr my hand: provided alwayes, that you shall from time to time transmitt unto me a true & exact acco^t of all what you shall doe, execute or perform, by virtue of these presents. Given undr my hand & seal att Philadelphia, the 17th day of May, in the 5th year of their maties' reign, Annoque domi., 1693.

BEN. FFLETCHER.

His Excellency BENJⁿ FLETCHER, his Commission und^r the great Seal of England, to be Cap^t Generall and Governo^r in Cheif in and over their Maties. Province of Pennsilvania & Countrie of New Castle, &c.

William and Mary, by the grace of God, King and Queene of England, Scotland, France and Ireland, defenders of the faith, &c. To Our Trusty and well beloved Benjamin ffletcher, Esquire, our Capitaine Generall and Governo^r in Chiefe of our province of New Yorke, and the Territories depending thereon, in America, Greeting:

Whereas, by Our Commission, under our great Seale of England, bearing date the eighteenth day of March, in the fourth yeare of our Reigne, Wee have Constituted and appointed you, the said Benjamin ffletcher, to be our Capitaine Generall and Governo^r in Chiefe in and over our Province of New Yorke, and the dependencies thereon, in America: And have thereby granted unto you full power and authority, with the advice and Consent of our Councill, as need shall require, to Summon and Call Generall Assemblies of the Inhabitants, being freeholders, within our said province, according to the usage of our province of New Yorke: And that the persons thereupon duely Elected by the major part of the freeholders of the respective Counties & places, and soe returned, and haveing before their Sitting taken the oathes appointed by act of Parliament to be taken, in Stead of the oathes of Allegiance and Supremacy, and Subscribed the Test, and without takeing and Subscribing whereof none shall be capable of Sitting, tho^t elected, shall be called and held the Generall Assembly of that our said province: And have thereby granted unto you, the said Benjamin ffletcher, by and with the Consent of our said Councill and Assembly, or the major part of them, full power and authority to make, constitute and ordaine Lawes, Statutes and ordinances, for the publick peace, welfare, and good government of our said province, and of the people and Inhabitants thereof; which said

Lawes, Statutes and ordinances, are to be (as neare as may be) agreeable to the Laws and Statutes of this our kingdome of England: Provided, that all such Lawes, Statutes and ordinances be within three months, or Sooner, after the making therof, Transmitted unto us, under our Seale of New Yorke, for our approbation or disallowance of the same; And in Case any or all of them, being not before Confirmed by us, Shall att anie time be disallowed and not approved, and soe Signified by us, our heires & Successors, under our, or their Signe manuell or Signett, or by order of our, or their, privy Councill unto you, the said Benjamin fletcher, or to the Commander in Chiefe of our province of New Yorke for the time being, Then such & soe many of them as shall be soe disallowed and not approved, Shall from thenceforth cease, determine, and become utterly void and of none effect. And to the end that nothing may be passed or done by our said Councill or Assembly, to the prejudice of us, our heires and Successors, Wee have thereby willed & ordained that you, the said Benjamin fletcher, shall have and enjoy a Negative Voice in the making and passing of all Lawes, Statutes & ordinances, as aforesaid; And that you shall & may likewise, from time to time, as you shall judge it necessary, adjourne, prorogue and Dissolve all Generall Assemblies, as aforesaid; With full power and authority from time to time, by your Self, or by any other to be authorized by you in that behalf, to administer and give the Oathes appointed by act of Parliament to be taken in stead of the Oaths of allegiance and Supremacy, to all and every such person or persons, as you shall thinke fitt, who shall att any time or times passe into our said province, or shall be resident or abiding there; and with the advice and consent of our Said Councill, to Erect, constitute and establish Courts of Judicature and publick Justice within our said province, and for the hearing and determining of all Causes, as well Criminall as Civill, according to Law and Equitie, and for awarding of Execution thereupon, with all reasonable and necessary powers, authorities, fees and privileges belonging unto them: As also, to appoint and Commissionate fitt persons in the Severall parts of our said province, to administer the Oaths appointed by act of parliament to be taken instead of the oathes of allegiance and Supremacy, and the Test, unto such as shall be obliged to take the same: And also, to Constitute and appoint Judges, Justices of the peace, and other necessary officers and ministers in our said province, for the better administration of Justice and putting the Lawes in execution, and to administer, or cause to be administered, such Oath or Oaths as are usually given for the due execution and performance of offices and places, and for the clearing of Truth in Judiciall Causes. AND WHEREAS, wee judge it necessary that all our Subjects may have Liberty to appeale to our Royall person in Civill Causes that may deserve the same, Wee have thereby further signified our pleasure, that if either party shall not rest Satisfied with the judgment or Sentence of the Superior Courts of our said province, They may then appeale unto us in Our privy Councill, provided the matter in difference exceed the reall value and Sum of three hundred pounds Sterling, and that such appeale be made within

one fortnight after sentence, and that security be Likewise duely given by the appellant, to answer such charges as shall be awarded in Case the first sentence shall be confirmed: And provided also, that execution be not suspended by reason of any such appeale unto us, And where you shall judge any offender or offenders in Criminall matters, or for any fines or forfeitures, fitt objects of our mercy, you have full power and authority to pardon and remitt such offences, fines and forfeitures, before or after sentence given, Treason and willfull murder onely excepted; In which Cases, upon extraordinary occasions, you are to grant reprieves to the offenders untill our Royall pleasure may be knowne therein. AND WHEREAS, by our said Commission, wee have given & granted unto you, the said Benjamin fletcher, by yourself, your Captaines, & Commanders, by you to be authorized, full power and authority to Levy, arme, muster, Command and employ all persons whatsoever, residing within our said province, under your government; and as occasion shall serve, them to Transferr from one place to another, for the resisting and withstanding of all enemies, pirates and rebels, both att Sea and Land, and to transport such forces to anie of our plantations in America, as occasion shall require, for the defence of the same against the invasion or attempts of any of our enemies; And to execute martiall Law in time of invasion, insurrection or warre, and during the continuance of the same, as also upon Soldiers in pay, and to doe and execute all and every other thing and things which to a Captaine Generall Doth or ought of right to belong; And also, to erect, raise and build in our said province, such fforts, plattforms, Castles, Citys, Boroughs, Townes & forti-fications, as you, by the advice aforesaid, shall judge necessary; and the same, or any of them, to fortify and furnish with Ordnance, Am-munition, and all sorts of armes, fitt and necessary for the security and Defence of our said Province: AND WHEREAS, wee have thereby further given and granted to you, the said Benjamin fletcher, full power and authority to Erect one or more Court or Courts admirall within our province of new yorke, for the hearing and determining of all Marine and other causes, & matters proper therein to be heard, with all reasonable and necessary powers, authorities, fees and privi-leges; and to exercise all powers belonging to the place & office of Vice admirall of and in all the seas and coasts about our said province, according to such Commission, authority and instructions as you shall receive from our selfe, under the seal of our admiralty, or from our High admirall, or Commissioners for executing the office of High admiral of our fforeigne plantations, for the time being; And to Order and appoint ffaires, marts and marketts; as also, such and so manie ports, Harbours, Bayes, havens and other places for the Convenience and Security of Shipping, and for the better Loading and unloading of goods & merchandizes, as by you, with the advice and consent of our said Councill, shall be thought fitt and necessary; And in them, or anie of them, to erect, Nominate and appoint Custome houses and officers relating thereunto, and them to alter, change, place or displace, from time to time, as with the advice aforesaid shall be thought fitt, with severall other powers & authorities granted & appointed you by our

said Commission, for the good governing & for the Defence and security of our sd province of New Yorke, and Inhabitants thereof.

AND WHEREAS, by reason of great Neglects and miscarriages in the government of our province of Pennsylvania in America, and the absence of the proprietor, the same is fallen into Disorder & confusion By meanes whereof not onely the publick peace & administration of Justice (whereby the properties of our subjects should be preserved in those parts) is broken and violated, But there is also great want of provision for the Guard & defence of our said province against our enemies, whereby our said province, & the adjacent Colonies, are much exposed, and in Danger of being Lost from the Crowne of England: For the prevention whereof, as much as in us Lies, and for the better defence and security of our Subjects Inhabiting those parts During this time of warr, Wee find it absolutely necessary to take the government of Our province of Pennsylvania into our owne hands, and under our Immediate care and protection. WEE therefore, reposing especiall Trust and Confidence in the prudence, courage and Loyalty of you, the said Benjamin fletcher, Have thought fitt to constitute and appoint you, the said Benjamin fletcher, to be our Capitaine Generall and Governor in Chiefe in and over our province of Pennsylvania and Countrey of New Castle, and all the tracts of Land depending thereon in America: And wee doe accordingly, by these presents, Command and require you to take the said province & Countrey under your government; And for the better Ordering governing and ruling our said province & Countrey; and the Tracts and Territories Depending thereon, Wee doe hereby give and grant unto you, the said Benjamin fletcher, all & every the Like powers and authorities as in our said Commission, bearing date the eighteenth day of March, in the fourth yeare of our reigne, are given, granted and appointed you for the ruling and governing our province of New Yorke, to be exercised in Like manner, by you, the said Benjamin fletcher, in and over our said province of Pennsylvania and Countrey of New Castle, and the Territories & tracts of Land depending thereon, in America: AND WEE Doe hereby require and Command you to doe and execute all things in due manner, that shall belong unto your said Command, and the Trust wee have reposed in you, according to the severall powers and directions granted or appointed you by this present Commission, or our Commission aforesaid, and such other Instructions & authorities as are, or att anie time hereafter shall be granted or appointed you, under our Signett & Signe manuall, or by our order in our privy Councill, and according to such reasonable Lawes and Statutes as now are in force, or hereafter shall be made and agreed upon by you, with the advice and consent of the Councill and Assembly of our province of Pennsylvania and Countrey of New Castle aforesaid: AND OUR WILL AND PLEASURE IS, and wee doe by these presents require and Command you, the said Benjamin fletcher, untill our further pleasure shall be knowne, to nominate and appoint a Lieutenant Governo' of our said province of Pennsylvania and Countrey of New Castle, unto which Lieutenant Governo' wee doe hereby give and grant full power and authoritie to doe and execute

whatsoever hee shall be by you authorized and appointed to doe, in pursuance and according to the powers & authorities hereby granted unto you. AND OUR FURTHER WILL AND PLEASURE IS, and wee doe by these presents, Require and Command you in Like manner to nominate and appoint such & so many Councillors as you shall thinke requisite for our service, not exceeding the Number of Twelve persons att the most, out of the principall freeholders & inhabitants of our said province and Countrey, which said Councillours, or anie three of them, shall be att all Times held and deemed a Councill to be ayding and assisting to you, and to our Lieutenant Governo^r, with their advice, in the administration of the publick affaires of that our province and Countrey. AND WEE DOE hereby give and grant unto you full power and authoritie from time to time to suspend such our Lieutenant Governo^r, or anie of the members of our Councill, soe appointed by you, from their respective places and Trusts, if you shall find just Cause for soe doeing, & to appoint others in their stead: AND WHEREAS, wee Have been informed of the good affection of the Inhabitants of our Colonies of East and West New Jersey in America, and that the militia of these Colonies Consist of ffourteene hundred men, well armed & disciplined; And it being Convenient in this time of danger, that the forces of our Subjects inhabiting those parts be united as much as may be upon all occasions that may require the same, Wee have therfore thought fitt, and wee doe by these presents grant full power & authority to you, the said Benjamin ffletcher, and to the Governo^r & Commander in Chiefe of our province of Newyorke, for the time being, for & during this present warr between Us and the ffrench King, to draw out and Command anie part of the militia of our Colonies of East and West New Jersey in America, not exceeding Seaven hundred men att anie one time; and to cause them to march out of our said Colonies, for the security or defence of Newyorke or Albany, or anie other parts or places of our province of Newyorke, under your Government, in case of anie Invasion, Insurrection, or attempt of the ffrench or Indians upon our said province, or anie part thereof. AND WEE DOE hereby require & Command all officers and ministers, Civill & Military, and all other the inhabitants of Our province of Pennsylvania and Countrey of New Castle, and our Colonies of East & west New Jersey, respectively, to be obedient, ayding & assisting unto you, the said Benjamin ffletcher, in the execution of this our Commission, and the powers & authorities herein contained. And in Case of your death, or absence outt of our province of Newyorke and pennsylvania, our Countrey of New Castle, and our Colonies of East & West New Jersey, To be obedient, ayding & assisting to such person as shall be appointed by us to be Commander in Chiefe of our province of Newyorke for the time being; To whom wee doe therfore, by these presents, give & grant, all & singular, the powers and authorities aforesaid, to be executed and enjoyed by him for and during our pleasure, or untill your arrivall within our province and Countreys afo^rsd. And if upon such death or absence, there be no person residing within our said provinces or Countreys, Commissionated or appointed by us to be Commander in Chiefe of our

province of Newyorke, OUR will & pleasure is, that the then present Councill of Newyorke doe take upon them the administration of the Government of our province of Pennsilvania and Countrey of New castle, and execute this Commission, and the powers and authorities herein contained, in Like manner as in the government of our province of Newyorke. AND LASTLY, wee doe, by these presents, declare and appoint That you, the said Benjamin fletcher, shall and may hold, exercise and enjoy the office and place of Captaine Generall and Governor in Chiefe in and over our province of Pennsilvania and Countrey of New castle, and the Territories and Tracts of Land depending thereon, in America, during our will and pleasure. IN WITNESSE whereof, wee Have Caused our Letters to be made patents. WITNESSE Our Selves, att Westminster, the One and Twentieth day of October, in the fourth yeare of our Reigne. .

Per Bre. De privato Sigillo,

CHUTE.

His Excellency BENJ^a FLETCHER, his Comission und^r the great Seal of England, To be Cap^t Generall & Governo^r in Chief In and over their Maties province of New-york, &c.

William and Mary, by the Grace of God, King and Queene of England, Scotland, France and Ireland, defenders of the faith, &c: To OUR TRUSTY and well beloved Benjamin fletcher, Esquire, Greeting. WEE Reposing especiall Trust and Confidence in the prudence, Courage & Loyalty of you, the said Benjamin fletcher, out of our especiall Care, Certaine knowledge and meere motion, Have thought fitt to Constitute & appoint, And we doe by these presents Constitute and appoint you, the said Benjamin fletcher, To be our Captain Generall and Governo^r in Chiefe in and over our province of Newyorke, and the Territories depending thereon, in America: And Wee doe hereby Require and Command you to doe and execute all things in due manner that shall belong unto your said Command, and the Trust wee have reposed in you, according to the severall powers and directions granted or appointed you by this present Commission, and the Instructions herewith given you, or by such further powers, instructions and authorities, as Shall att anie time hereafter be granted or appointed you, under our Signett and Signe manuell, or by our order in our privy Councill, and according to such reasonable Laws and Statutes as now are in force, or hereafter shall be made and agreed upon by you, with the advice and Consent of the Councill & Assembly of our said province, under your government, in such manner and forme as is hereafter expressed: AND WEE Doe hereby Give and Grant full power unto you, the said Benjamin fletcher, after you have first taken an Oath for the due execution of the office and Trust of our Captaine Generall and Governo^r in Chiefe, in and over our said province of Newyorke & the territories Depending thereon, which our said Councill, or any five of them, have hereby full power and authority, and are required to administer unto you, To give and administer to each

of the members of our said Councill, as well the oathes appointed by act of parliament to be taken in stead of the oathes of allegiance and Supremacie, as the Test, and the oath for the due execution of their places & Trust; AND WEE Doe hereby Give and grant unto you full power & authority to Suspend any of the members of our said Councill from Sitting, voting and assisting therein, if you shall find just cause for so doing; And if it shall at any time happen that by the death, departure out of our said province, or suspension of any of our Councillors, there shall be a vacancie in our said Councill, Any three whereof wee doe hereby appoint to be a Quorum, OUR WILL AND PLEASURE IS, That you Signify the same unto us by the first opportunity, that wee may, under our Signett and Signe Manuall, Constitute and appoint others in their stead: But that our affairs att that distance may not suffer for want of a due number of Councillors, if ever it shall happen that these be lesse then Seaven of them, residing in our said province, Wee doe hereby give and grant unto you full power and authoritie to Choose as manie persons out of the principall freeholders, Inhabitants therof, as will make up the full number of our said Councill to be seaven, and no more; Which persons, by Virtue of such Choice, shall be to all Intents and purposes, Councillors in our said province untill they shall be Confirmed by us, or that by the Nomination of others by us, under our Signe Manuall & signet, the said Councill shall have seaven persons in it. WEE Doe HEREBY GIVE AND GRANT unto you full power & authoritie, with the advice and Consent of our said Councill, from time to time, as need shall require, to Summon and Call Generall Assemblies of the inhabitants, being freeholders, within your government, according to the usage of our Colony of Newyorke: AND OUR WILL AND PLEASURE IS, that the persons thereupon duely elected by the major part of the freeholders of the respective Countys and places, and so returned, and having before their Sitting taken the oathes appointed by act of parliament to be taken, instead of the oathes of allegiance and Supremacy, and Subscribed the Test, which you shall Commissionate fitt persons under our seal of newyorke to administer, & without taking and subscribing whereof, none shall be Capable of sitting: the elected Shall be called & held the Generall Assembly of that Our province & Territoryes depending thereon. And that you, the said Benjamin fletcher, by and with the Consent of Our said Councill and assembly, or the major part of them respectively, shall have full power & authoritie to make, Constitute and ordaine Lawes, Statutes and ordinances for the publick peace, wellfare & good government of our said province, and of the people and Inhabitants thereof, & such others as shall resort therto, and for the benefit of us, our Heirs and successors, Which said Lawes, statutes and ordinances, are to be as neer as may be, agreeable to the Lawes and statutes of this our kingdome of England: PROVIDED, that all such Lawes, statutes and ordinances, of what nature or duration soever, be within three months, or sooner, after the making thereof, transmitted unto us, Under our seale of Newyorke, for our approbation or disallowance of the same, as also duplicates thereof, by the next Conveyance; And in Case any, or all of them, being not before Confirmed

of the members of our said Council, as well the oaths appointed by act of parliament to be taken in stead of the oaths of allegiance and supremacy, as the Test, and the oath for the due execution of their places & Trust: And We Do hereby Give and Grant unto you full power & authority to suspend any of the members of our said Council from Sitting, voting and assenting therein, if you shall find any cause for so doing; And if it shall at any time happen that by the death, departure out of our said province, or suspension of any of our Councilors, there shall be a vacancy in our said Council, And three whosoever shall be appointed to be a Quorum, Our Will, AND PLEASURE is, That you signify the same unto us by the first opportunity, that we may, under our Signet and Signe Manuall, Constitute and appoint others in their stead: But that our affairs at that distance may not suffer for want of a due number of Councilors, if ever it shall happen that there be less than seven of them, residing in our said province, We do hereby Give and Grant unto you full power and authority to Choose as many persons out of the principal freeholders, Inhabitants thereof, as will make up the full number of our said Council to be seven, and no more; Which persons, by Virtue of such Choice, shall be to all intents and purposes, Councilors in our said province until they shall be Chosen by us, or that by the Nomination of others by us, under our Signe Manuall & signet, the said Council shall have seven persons in it. We Do hereby Give and Grant unto you full power & authority, with the advice and Consent of our said Council, from time to time, as need shall require, to Summon and Call General Assemblies of the inhabitants, being freeholders, within your government, according to the usage of our Colony of New York: AND OUR WILL, AND PLEASURE is, that the persons thereupon duly elected by the major part of the freeholders of the respective Counties and places, and so returned, and having before their Sitting taken the oaths appointed by act of parliament to be taken, instead of the oaths of allegiance and supremacy, and Subscribed the Test, which you shall Commissionate the persons under our seal of New York to administer, & without taking and subscribing whereof, none shall be Capable of sitting: the electors shall be called & held the General Assembly of that Our province & Territories depending thereon. And that you, the said Benjamin Fletcher, by and with the Consent of Our said Council and assembly, or the major part of them respectively, shall have full power & authority to make, Constitute and ordaine Lawes, Statutes and ordinances for the publick peace, wellfare & good government of our said province, and of the people and inhabitants thereof, & such others as shall resort thereto, and for the benefit of us, our heirs and successors. Which said Lawes, statutes and ordinances, are to be as near as may be, agreeable to the Lawes and statutes of this our Kingdom of England: PROVIDED, that all such Lawes, statutes and ordinances, of what nature or duration soever, be within three months, or sooner, after the making thereof, transmitted unto us, Under our seal of New York, for our approbation or disallowance of the same, as also duplicates thereof, by the next Convey-

by us, shall att anie time be Disailowed and not approved, and so signified by us, our heirs and successors, under our or their signe manuell and signet, or by order of our or their privy Councill, unto you, the said Benjamin fletcher, or to the Commander in Chiefe of our said province for the time being, then such and so many of them as shall be so disallowed and not approved, shall from thenceforth Cease, determin, and become utterly voyd and of none effect; Any thing to the Contrary thereof notwithstanding.

AND to the end nothing may be passed or done by our said Councill or assembly to the prejudice of us, our heirs and successors, WEE will and ordain, That you, the said Benjamin fletcher, shall have and enjoy a negative voyce in the making and passing of all Lawes, statutes and ordinances, as aforesaid, and that you shall & may, Likewise, from time to time, as you shall Judge it necessary, adjourne, prorogue & Dissolve all generall assemblies as aforesaid. OUR WILL AND PLEASURE IS, that you shall and may keepe and use the publick seale appointed or to be appointed by us for our province of Newyorke: WEE DOE FURTHER GIVE and grant unto you, the said Benjamin fletcher, full power and authority, from time to time, and att any time hereafter, by yourselfe or by anie other to be authorized by you, in that behalfe, to administer & give the oathes appointed by act of parliament to be taken in stead of the oathes of allegiance and supremacie, to all and every such person or persons as you shall think fitt, who shall att anie time or times passe into our said province, or shall be resident or abideing there. AND WEE DOE by these presents, Give and grant unto you full power & authoritie, with the advice and consent of our said Councill, to erect, constitute and establish such and so manie Courts of Judicature and publick justice within our said province and the Territories under your government, as you & they shall think fitt & necessarie for the hearing and determining of all causes, as well Criminall as Civill, according to Law and equitie. And for awarding of execution therupon, with all reasonable and necessarie powers, authorities, ffees and privileges belonging unto them: As also to appoint and Commissionate fitt persons in the severall parts of your Government to administer the oathes appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, and the Test, unto such as shall be obliged to take the same. AND WEE DOE hereby authorize and Impower you to Constitute and appoint Judges, Justices of the peace, and other necessarie officers and ministers in our said province, for the better administration of Justice, and putting the Laws in execution, And to administer, or Cause to be administred, Such Oath or oathes as are usually given for the due execution and performance of offices and places, and for the clearing of Truth in Judiciall causes: WEE DOE further by these presents, will and require that appealls be permitted to be made in Cases of error, from our Courts in Newyorke unto our Governo^r, and to our Councill in Civill Causes; PROVIDED the value appealed for doe exceed the sum of One hundred pounds sterling; and that security be first duely given by the appellat, to answer such Charges as shall be awarded in Case the first sentence shall be affirmed. AND WHEREAS, wee doe Judge itt necessary that all our subjects may Have Libertie to

appeale to Our Royall person in Cases that may deserve the same, OUR WILL AND PLEASURE IS, that if either party shall not rest satisfied with the Judgment or sentence of Our Governo^r and Council, They may then appeale unto Us in Our privy Council, provided the matter in difference exceed the reall value & sum of three hundred pounds sterling; And that such appeale be made within one fortnight after sentence, and that security be likewise duely given by the appellant, to answer such Charges as shall be awarded, in Case the sentence of the Governo^r and Council be Confirmed: And provided also, that execucon be not suspended by reason of anie such appeale unto us. AND WEE DOE hereby give and grant unto you full power and authority, where you shall Judge any offender or offenders in Criminall matters, or for anie ffynes or fforsfeitures, fitt objects of our mercy, To pardon and remitt all such offenders' ffynes and fforsfeitures, before or after sentence given, Treason and willfull murther only excepted; In which Cases you shall Likewise have power, upon extraordinary occasions, to grant Reprieves unto the offenders untill our Royall pleasure may be knowne therein. WEE DOE by these presents, authorize and Impower you to Collate any person or persons, in anie Churches, Chappells, or other Ecclesiasticall Benefices within our said province and Territory aforesaid, as often as anie of them shall happen to be voyd. WEE DOE Hereby give and grant unto you, the said Benjamin ffletcher, by your selfe, your Captaines and Commanders by you to be authorized, full power and authoritie To Levy, Arme, muster, Command and employ all persons whatsoever, residing within our sd province of Newyorke, and other the Territories under your government, and as occasion shall Serve, them to Transferr from one place to another, for the resisting and withstanding of all enemies, pyrats, and rebels, both att sea and att land, and to Transport such force to anie of our plantations in America, as occasion shall require, for the defence of the same against the invasion or attempts of anie of our enemies; and them, if occasion shall require, to prosecute, in or outt of the Limmitts of our said province and plantations, or anie of them; and if it shall so please God, them to vanquish, apprehend and take, and being taken, either, according to the Law of armes, to putt to death, or keepe and preserve alive, att your discretion; and to execute martiall Law in time of invasion, insurrection or warr, and during the continuance of the same, as also upon Souldiers in pay, and to doe and execute all and every other thing or things which to a Captain Generall doth or ought of right to belong, as fullie and ampie as anie our Captain Generall doth or hath usually done. AND WEE DOE hereby give and Grant unto you full power and authoritie to erect, raise and build in our said province & Territories depending thereon, such and so manie fforts, platformes, Castles, Cities, Boroughes, Townes and ffortifications, as you, by the advice aforesaid, shall judge necessary; And the same, or anie of them, to ffortify and furnish with Ordnance, ammunition, and all sorts of armes, fitt & necessary for the securitie and defence of our said province: AND WEE DOE hereby Give and Grant unto you, the said Benjamin ffletcher, full power and authoritie to

Erect one or more Court or Courts Admirall within our said province and Territories, for the Hearing and determining of all marine and other Causes, and matters proper therein to be heard, with all reasonable and necessarie powers, authorities, flaes and priviledges; As also to exercise all powers belonging to the place and office of Vice admirall of and in all the seas & Coasts about you Government, according to such Commission, authorities & Instructions as you shall receive from our Selse, under the seal of our admiralty, or from our High admirall or Commissioners, for executing the office of High admirall of our forreigne plantations for the time being. AND FOR AS MUCH as divers mutinyes and disorders doe happen by persons shipped and employed att sea, And to the end that such as shall be Shipped or employed att sea may be the better governed and ordered, WEE Doe Hereby Give and grant unto you, the said Benjamin fletcher, our Capitaine Generall and Govern.^r in Cheife, full power & authoritie to Constitute and appoint Captains, masters of Shippes, and other Commanders, and to Grant to such Captains, masters of Shippes and other Commanders, Commissions to execute the Law martiall, and to use such proceedings, authorities, punishment, Correction and execution, upon anie offender or offenders which shall be mutinous, seditious, disorderlie, or anie way unruly, either att sea or During the time of their abode or residence in anie of the ports, harbours or Bays of our said province or Territories, as the Cause shall be found to require, according to the martiall Law: PROVIDED, that nothing herein contained shall be Construed to the enabling you, or anie by your authority, to hold plea, or have jurisdiction of anie offence, cause, matter or thing Committed or done upon the High sea, or within anie of the Havens, Rivers or Creeks of our sd province or Territories under your government, by anie Capitaine, Commander, Lieutenant, master, or other officer, Seaman, Soldier, or person whatsoever, who shall be in actuall Service and pay in and on Board anie of our shippes of warr, or other vessels acting by Immediate Commission or warrant from our Commissioners, for executing the office of our High admirall of England, under the seale of our Admiralty, or from our High admirall of England for the time being: And that such Capitaine, Comander, Lieutenant, master, officer, Seaman, Soldier, and other persons so offending, shall be left to be proceeded against and tryed, as the meritt of their offences shall require, either by Comission under our great seale of England, as the Statute of the eight & twentieth of Henry the eighth directs, Or by Comission from our said High admirall, according to the act of parliament passed in the Thirteenth yeare of the Reign of the Late king Charles the second, Entitled an act for the establishing articles & orders for the regulating & better Government of his majesties navyes, shippes of warr, & forces by sea, and not otherwise; saving onely, that it shall & may be Lawfull for you, upon anie such Capitaine or Commander refusing or neglecting to execute, or upon his negligent or undue execuon of anie of the written orders hee shall receive from you, for our service and the service of our sd province, to suspend him, the said Capitaine or Commander, from the exercise of his said office of Commander, and Committ him into Safe

Custody, either on board his owne Shipp or elsewhere, att the discretion of you, in order to his being brought to answer for the same, by Comission, under our great seale of England, or from our High Admirall, as is before expressed: In which Case, our will and pleasure is, that the Captaine or Commander so by you suspended, shall, During such his suspension and Committment, be succeeded in his sd office by such Comission or warrant officer of our said shipp, appointed by our Commissioners for executing the office of our High admirall of England, or by our High admirall of England for the time being, as by the knowne practice and discipline of our Navy does and ought next to succeed him, as in Case of death, sicknesse, or other ordinary disability happening to the Commander of anie of our shippes of warr, and not otherwise; you standing also accountable to us for the Truth and Importance of the Crimes and misdemeanors for which you shall so proceed to the suspending of such our said Captain or Commander: PROVIDED ALSO, that all such disorders and misdemeanors Committed on shoare by anie Captaine, Comander, Lieutenant, master, or other officer, seaman, souldier, or person whatsoever, belonging to anie of our shippes of warr or other vessell, acting by Immediate Commission or warrant from our Commissioners, for executing the office of our High admirall of England, under the Seale of our Admiralty, or from our High Admirall of England, for the time being, may be tryed and punished according to the Lawes of the place where anie such disorders, offences and misdemeanors shall be so Committed on shoare, notwithstanding such offender be in our actual service, and borne in our pay, on Board anie such our shipp of warr, or other vessell, acting by Immediate Commission or warrantt from our Commissioners, for executing the office of our High admirall, or from our High admirall as aforesaid; so as hee shall not receive any protection for the avoyding of Justice for such offences Committed on shoare, from anie pretence of his being employed in Our Service att sea. AND OUR WILL AND PLEASURE IS, That all publick moneys raised, or to be raised, within our said province and other the territories under your Government, be Issued out by warrant from you, by and with the advice and Consent of the Councill, and disposed of by you for the Support of the Government, and not otherwise. AND WEE DOE hereby Likewise Give and Grant unto you full power and authoritie, by and with the advice and Consent of our said Councill, to agree with the inhabitants of our province and Territories aforesaid, for such Lands, Tenements and Hereditaments as now are, or hereafter shall be in our power to dispose of, And them to grant unto anie person or persons, for such Terme, and under such moderate Quitt rents, services and acknowledgments, to be therupon reserved unto us, as you, by and with the advice aforesaid, shall think fitt. Which said grants are to passe and be sealed by our seale of Newyorke, and being entred upon Record by such officer or officers as you shall appoint thereunto, shall be good and effectuell in Law, agt us, our Heirs and successors. AND WEE DOE Hereby Give you full power to order and appoint flaires, marts & marketts, as also such and so many ports, Harbours, Bays, Havens, and other places for the Convenience of

shipping, and for the better Loading and Unloading of goods and merchandizes as by you, with the advice and Consent of the said Council, shall be thought fitt and necessarie, and in them, or anie of them, to Erect, nominate and appoint Custome Houses, warehouses, and Officers relating thereunto; and them to alter, Change, place or displace, from time to time, as with the advice aforesaid shall be thought fitt; AND WEE DOE by these presents will, require and Command you to take all possible care for the discountenance of vice, and encouragement of virtue and good Living, that by such examples the Infidells may be invited and desired to partake of the Christian Religion. AND OUR FURTHER WILL AND PLEASURE IS, that you shall not att anie time hereafter, by Colour of any power or authority hereby granted, or mentioned to be granted, take upon you to Give, grant or dispose of anie officer or place within our sd province and Territories which now are, or shall be granted under the great seal of England, any further then that you may upon the Vacancy of any such office, or suspension of any officer by you, putt in any person to officiate in the intervall untill the said place be disposed of by us under the great Seal of England, or that our directions be otherwise given therein. AND WEE DOE Hereby require and Command all officers and ministers, Civill and military, and all other Inhabitants of our said province and the Territories depending thereon, to be obedient, ayding and assisting unto you, the said Benjamin fletcher, in the execution of this Our Commission, and of the powers and authorities therein contained: And in Case of your death, or absence outt of our said province and Territories under your government, Unto such person as shall be appointed by us to be Commander in Chiefe of our said province, To whom wee doe therefore, by these presents, give and grant all and singular, the powers and authorities aforesaid, to be executed and enjoyed by him during our pleasure, or untill your arrivall within our said province and Territories: AND if upon such death or absence, there be noe person upon the place Commissionated or appointed by us to be Commander in Chiefe, OUR WILL AND PLEASURE is, that the then present Council of our said province, doe take upon them the administration of the government, & execute this Commission, and the severall powers & authorities herein Contained, relating to our said province, and that the first Councillor who shall be att the Time of your death or absence, residing within the same, doe preside in our said Council, with such powers and preheminences as anie former president hath used and enjoyed within our said province, or anie other our plantations in America, untill our pleasure be further knowne, or your arrivall, as aforesaid. AND LASTLY, wee doe Hereby declare, ordain and appoint, That you, the said Benjamin fletcher, shall and may Hold, execute and enjoy the office and place of Captaine Generall and Governo^r in Chiefe, in and over our province of Newyorke and the Territories depending thereon, together with all & Singular, the powers and authorityes hereby Granted unto you, for and during our will and pleasure.

IN WITNESSE WHEREOF, wee have Caused these our Letters

to be made patents. WITNESSE Our selves att Westminster,
the eighteenth day of March, in the fourth yeare of our Reigne.
per Breve de privato Sigillo.

CHUTE.

Att a Councill Held att Philadelphia on a Wednesday the 26th of
Aprill, 1693.

His Excell. BENJAMIN FFLETCHER, Esq.
Wm. Markham, } Esq.
Andrew Robeson, } Esq.
Robert Turner, } Esq.
Patrick Robeson, } Esq.

PENNSILVANIA, SS.

Minutes and Orders of Councill, from the arrivall of his Excellency, BENJAMIN FFLETCHER, Captain Generall and Governo^r in Chiefe of the province of Newyorke, province of Pennsylvania and Countrey of New castle, And the Territories and Tracts of Land depending thereon, in America. In philadelphia the 26th of Aprill, in the fifth year of the Reign of our Sovereign Lord & Lady, WILLIAM & MARY, by the Grace of God, of England, Scotland, France and Ireland, king & Queen, defenders of the faith, &c.

Commission of the peace throughout the whole province and Countrey.
Adjourned till 8 a Clock the next morning.

[26th Aprill, 1693.

Wednesday, Att Philadelphia, the 26th of Aprill, 1693.

His Excellency arrived here between the Hours of eleven and twelve in the forenoone, and being Conducted by the Sheriffe to the mercate place, Caused their Majesties' Letters patents for the Government of pennsylvania and New Castle, to be publicly read.

His Excell. having sent for Thomas Lloyd, the Late Deputy Governo^r, did offer unto him the first place in the Councill, which he did refuse.

Andrew Robeson, } Esq.
Robert Turner, } Esq.
Lawrence Cock, } Esq.
William Salway, } Esq.

2 A CLOCK, AFTERNOONE.

William Markham, Esq^r. took the Oaths appointed by act of parliament to be taken in stead of the oaths of allegiance and Supremacy, & Test, and afterwards the oath of a Councillor for the said province and Councill, and by his Excell. direction, took the first place in the Councill.

Andrew Robeson and Robert Turner did subscribe the Test, the declaration of fidelitie, and profession of the Christian faith, and afterwards did promise to performe the Substance contained in the oath of a Councillor, as in the presence of God, and by his Excell. appointment, took their places att the Councill board.

The Councill did Return unto his Excell. a List of officers names

to be made patents. WITNESS Our selves and Westminster
the eighteenth day of March, in the fourth year of our Heiress.
per Breve de privato sigillo.
CHUTE

PENNSYLVANIA, 28.

Minutes and Orders of Council, from the arrival of his Excel-
lency, BENJAMIN FLETCHER, Captain General and Governor
in Chief of the province of New York, province of Pennsylvania and
County of New Castle, And the Territories and Tracts of Land de-
pending thereon, in America. In Philadelphia the 28th of April, in
the fifth year of the Reign of our Sovereign Lord & Lady, WILL-
IAM & MARY, by the Grace of God, of England, Scotland,
Ireland and Wales, King & Queen, defenders of the faith, &c.

12th April, 1693.

Wednesday, At Philadelphia, the 30th of April, 1693.

His Excellency arrived here between the Hours of eleven and
twelve in the forenoon, and being Conducted by the Sheriff to the
mansion place, Command their Majesties' Letters patents for the Go-
vernment of Pennsylvania and New Castle, to be publicly read.
His Excellency having sent for Thomas Lloyd, the Late Deputy Go-
vernor, did order unto him the first place in the Council, which he
did refuse.

2 A CLOCK, AFTERNOON.

William Masham, Esq. took the Oaths appointed by act of par-
liament to be taken in stead of the oaths of allegiance and Supremacy,
by & Test, and afterwards the oath of a Counsellor for the said pro-
vince and Council, and by his Excellency direction, took the first place
in the Council.

Andrew Holme and Robert Turner did subscribe the Test, the de-
claration of fealty and profession of the Christian faith, and after-
wards did promise to performe the Substance contained in the oath of
a Counsellor, as in the presence of God, and by his Excellency appoint-
ment, took their places at the Council board.

Patrick Robinson took the Oaths & Test, and oath of a Councillor, and his place att the Council board, by his Excell. direction.

Att a Council Held att philadelphia on a Wednesday the 26th of Aprill, 1693.

PRESENT :

His Excell. BENJAMIN FFLETCHER, &c.

Wm. Markham,	} Esq ^r .	Robert Turner,	} Esq ^r .
Andrew Robeson,		Patrick Robinson,	

His Excell. did desire that the members of Council would resolve into a Committee, to Consider of persons within the province of pennsylvania & Countrey of New Castle, that are qualified to be Judges, Justices of the peace, sheriffes, and other officers, throughout the Severall Counties; which was ordered accordingly.

John White, Sheriffe, being demanded what prisoners hee held, did deliver a warrant by which hee held peter Boss in the Common goale, for making an Escape & not paying a fine of six pounds, including Costs; which was read.

His Excell. did Order That the members of Council be in the Commission of the peace throughout the whole province and Countrey.

Adjourned till 8 a Clock the morrow morning.

[27th Aprill, 1693.

Att a Council held att Philadelphia on a Thursday the 27th of April, 1693.

PRESENT :

His Excell. BENJAMIN FFLETCHER, &c.

Wm. Markham,	} Esq ^r .	Lawrence Cock,	} Esq ^r .
Andrew Robeson,		William Salway,	
Robert Turner,			

Lawrence Cock being Called to this Board, Had the oaths and Test, and Oath of a Councillor administered to him, and took his place att the board.

William Salway did Subscribe the declarations & profession of the Christian faith, and did promise to observe the substance of the oath of a Councillor, and by his Excell. order, took his place at the board.

His Excell. did nominate William Markham, Esq^r., to be Lieutenant Governo^r, which was approved of by the whole Council, who did return his Excell. thanks for that hee did appoint a Gentleman to be their Leiu^t Governor, of their particular knowledge and good affections.

The Council did Return unto his Excell. a List of officers names

whom they Judged qualified for Civill offices in the government, which was read & approved of,

His Excell. did Lay before the Councill That their matjes affairs did call him Speedily to the fronteers, in the province of Newyorke, The necessitie of calling an Assembly, and of their early meeting, Desiring their advice. The Councill doe advise his Excell. that the Least time can be allowed for their coming together is Sixteen or eighteen dayes.

His Excell. did also desire their advice and opinion Concerning the number of Representatives to be returned from each County : Which was variouslie given.

It being the former Custome of this province to have nine representatives for each County, different from the Custome of their maties province of Newyorke, where there are Two for each County,

Some did alledge that upon this suddain alteration, sundrie were therby disoblighd, and a small number of Assemblymen might act with Lesse Courage for their maties service. Others doe advise his Excell. to Consult their maties Letters patents, and his Instructions for the government.

The Resolution therof is deferred till further advisement.

Upon the Reading the petition of peter Boss, the same is referred To Andrew Robeson, Robert Turner, and Lawrence Cock, Esq^r. to examine the petitioner's allegations, and make report therof to his Excell.

Adjourned to 3 a Clock afternoone.

POST MERIDIEM.

Att a Councill Held att Philadelphia 27th Aprill, 1693, 3 a Clock afternoone.

PRESENT:

His. Excell. BENJAMIN FLETCHER, &c.

WILLIAM MARKHAM, Esq^r., Leiu^t Governo^r.

Andrew Robeson, }
Robert Turner, } Esq^r.

Patrick Robinson, }
Lawrence Cock, } Esq^r.

His Excell. did again Require the advice of this board concerning the number of Representatives to be returned for each Countie.

RESOLVED, That writts Issue, returnable the fifteenth of May next, and that foure Representatives be returned for the County of philadelphia, foure for New Castle, and thre for each of the other Counties.

Upon reading the petition of William Bradford, printer, directed to his Excell., wherein hee settis forth that in September Last his tooles and Letters were Seized by order of the Late Rulers, for printing some books of Controversie, and are still kept from him, to the great

hurt of his family, and prays Reliefe. His Excell. did ask the advice of this board.

The Severall members of Council being well acquainted with the truth of the petitioner's allegatons, are of opinion, and doe advise his Excell. To Cause the petitioner's tooles and Letters to be restored to him.

Ordered That John White, Sherriffe of Philadelphia, doe Restore to Wm. Bradford, printer, his tooles and Letters, taken from him in September Last.

Upon Reading an Order of the Late Governo^r & Council, Concerning Jeremiah Elfreth, Thomas Groves and Thomas East, upon the Complaint of George Heathcote,

His Excell. did Order the Council to Resolve themselves into a Committee, to examine and draw up their opinion of the matter therof, and to make returne therof, under their Hands.

Wm. Markham, Esq^r. having received his taking of the Oath and Test, with the oath of Liev^t Governo^r, did receive his Commission from his Excellency.

His Excell. did move that there be a Certain day of the weeke apoynted for a weekly Council Day for the publick affairs of the Government.

Agreed, That Tuesday is most Convenient for the weekly Council day.

[28th Aprill, 1693.

Att a Council Held att philadelphia on Fryday the 28th Aprill, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq^r., Leiv^t Governo^r.

Andrew Robeson, }
Robert Turner, } Esq^r.

Patrick Robinson, }
Lawrence Cock, } Esq^r.

Pursueant to his Excell. Order yesterday, The Council did return under their hands, their opinion of the order of the Late deputy Governo^r and Council of the 20th of September, 1692, That it is unjust and Illegal.

Upon reading of the petition of Jeremiah Elfreth, Thomas Groves, & Thomas East, under Confinement by the said order of the Late deputy Governo^r & Council,

Ordered the said three petitioners be discharged; and the said Jeremiah Elfreth, Thomas Groves and Thomas East, are hereby discharged from any bond or recognizance taken from them by virtue of the said order, with their sureties.

Upon reading the petition of direk Johnson, al^t Clauson, setting forth that hee, with his wife and Sister, stand Committed in Close

prison, upon suspition of murder, where he hath continued twelve months, without the benefit of being brought to tryall,

Ordered that a Commission of Oyer and Terminer doe forthwith issue for the Tryall of the petitioners.

His Excell. Caused the petition of philip England to be read, wherein the petitioner setteth forth that by the proprietarie's appointment hee is keeper of the ferry and Ordinarie att the Skuillkill, together with his warrantt and License, under Hand and Seal of Wm. penn, Esq^r., for soe doing.

His Excell. did Signifie unto this board, That for as much as the ferry was the propertie of the proprietary, hee would grant unto the petitioner his Confirman and License for the keeping of the same, and discharge all others from Transporting anie persons over the Skuillkill, neer the said ferry, for monie or reward, Untill the proprietarie's pleasure be knowen, which was approved, and some of the Councill, on behalfe of the proprietary, did return his Excell. thanks.

Joseph Wood, Esq^r., Sherriffe of Chester, and John Hill, Esq^r., Sherriffe of Sussex, had the oaths and Test, with the oath of a Sherriffe, administred unto them.

[29th Aprill, 1693.

Att a Councill Held att philadelphia on Saturuday the 29th of Aprill, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq^r., Leiv^t Governo^r.

Andrew Robeson, } Esq^r.
Robert Turner, }

Lawrence Cock, } Esq^r.
William Salway, }

John Claypoole, Esq^r., Sherriffe of philadelphia, and Israell Taylor, Sherriffe of Bucks, Had the oaths and Test, and oath of a Sherriffe, administred unto them.

[1st May, 1693.

Att a Councill Held att philadelphia on Moonday the 1st of May, 1693, att 5 a Clock in the morning.

PRESENT:

His Excell. BENJAMIN FFLETCHER, Esq^r.

WILLIAM MARKHAM, Esq^r., Leiv^t Governo^r.

Andrew Robeson, } Esq^r.
Robert Turner, }

Patrick Robinson, } Esq^r.
Lawrence Cock, }

His Excell. did Signifie to the Councill that hee was to goe this

morning to New Castle, to publish their Maties' Letters patents; That hee thought it Convenient to Leave them here for the preservation of the peace; That hee hath appointed them Justices of the peace throughout the whole province, and therefore called them together to administer to them the oath of Justice of the peace, Leaving strict charge with them to maintain the peace here during his absence.

The Leiv' Governo' and Severall members of Councill, in different manner, had the oath of a Justice of peace administred to them.

[Att New Castle, 1st May, 1693.

Att New Castle the first day of May, 1693.

His Excell. being attended by the Leiv' Governo', and militia in arms, att 12 a Clock went to the Townehouse and there published their Maties' Letters patents, which was followed with firing of guns, great Shouting and joy.

Att a Councill Held att New Castle on Tuesday the 2^d of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq'. Leiv' Governo'.

John Cann, } Esq'.
Wm. Clark, }

John Cann, Esq'. took the oath and Test, and oath of a Councillor, and by his Excell. direction, his place att this board.

William Clarke, Esq'. did Subscribe the Severall declarations provided for non Conformists by act of parliament, and did Solemly promise to observe & fullfill the Substance of the oath of a privie Councillor, and was ordered by his Excell. to take place att the board.

POST MERID.

2 a Clock afternoone, presentibus lisdem.

John Cann, Esq'. and Wm. Clarke, Esq'. had the oath of a Justice of the peace for the whole province and Countrey administred unto them in different manner, as formerly.

Peter Alrichs, John Donaldson, Richard Hallwell, & John Grubb, had the oaths & Test, and oath of a Justice of the peace for the County of New Castle, administred unto them.

Edward Bleake did Subscribe the declarations, and promised Solemnly to perform the office of a Justice of the peace for the County of New Castle.

Luke Watson, for the Countie of Sussex, had the oaths and Test, and oath of a Justice of the peace administred unto him.

[3^d May, 1693.

Att a Councill Held att New Castle on Wednesday the 3^d of May, 1693, in the morning.

PRESENT :

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq^r., Leiv^t Governo^r.

John Cann, } Esq^r.
Wm. Clark, }

Edward Lillington, Esq^r., Sherriffe of New Castle, James Claypoole, Clark, & Peter Reverdie, Coroner, Had the Oaths and Test, with the oaths of their respective offices in the said Countie, administred unto them.

His Excell. did Spend the rest of the forenoone in finding the most convenient place att New Castle to build a fort, to Command the channell of the river delaware before New castle: in the afternoone did return to philadelphia.

[5th May, 1693.

Atta Councill Held att philadelphia, on Friday the 5th of May, 1693.

PRESENT :

His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson,	} Esq ^r .	Lawrence Cock,	} Esq ^r .
Robert Turner,		Wm. Salway,	
Pat. Robinson,			

His Excell. Caused to be read an address of seaven persons (to him) Late of M^r. Lloyd's Councill, viz: Joseph Growdon, John Bristow, John delavall, John Simcocke, Hugh Roberts, Samuella Lewis and Richard Hough. The direction is to Benjamin ffletcher, Esq^r., Captain Generall & Governo^r in Chiefe, &c., without naming his Excell. of the province of pennsilvania & Countrey of New Castle, wherein they call themselves the delegates and members of the provincially Councill, in behalfe of the freemen of the province, and desire that no other method may be used for the Calling together their Legislative power then the received Laws of this province doe prescribe.

His Excell. asks the advice of this board concerning the same.

It is the opinion of this board, That the address being generall, It

cannot be Consistent with the powers granted his Excell. by their majesties Letters patents, to have anie regard to, or answer it.

Samuell Jennings, a former Justice of the peace, being sent for, His Excell. did offer to continue him in the same station, which hee did refuse.

Arthur Cooke, in Like manner did refuse. Robert Ewer, in Like manner did refuse.

William Salway, Esq^r., did Solemnlie promise to execute the office of Justice of the peace throughout the whole province and Countrey.

[6th May, 1693.

Att a Councill Held att philadelphia on Saturuday the 6th of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLTCHER, &c.

Andrew Robeson, }
Rob' Turner, } Esq^r.
Pat. Robinson, }

Lawrence Cock, }
Wm. Salway. } Esq^r.

Samuell Carpenter being offered the office of Justice of the peace, Refused.

Griffith Owen, a former Justice, in Like manner did refuse.

Anthony Morris did Subscribe the declarations, and Solemnlie promise to execute the office of a Justice of peace in the Countie of philadelphia.

Joseph Wilcox and Joseph Fisher did refuse the office of a Justice of peace.

Jacob Hall and Andrew Bankson took the oaths & Test, and oath of Justice of the peace for the Countie of philadelphia.

Francis Rawle did Subscribe the declaration and solemnlie promise to execute the office of Justice of the peace in the Countie of philadelphia.

Francis Daniell pastorius did subscribe the declaran and Solemnlie promise to execute the office of a Justice of peace in philadelphia.

Some of the Councill giving Information That William Hudson did utter words in contempt of a proclamation Issued by his Excell. to prohibit Sabbath breaking, drunkenness, Idleness, Unlawfull gaming, and all manner of prophanesse,

Ordered Andrew Robeson, Esq^r. doe call the evidences before him, take the sum of their evidence ag^t Hudson in writting, and returne it to this board.

WILLIAM MARKHAM, Esq^r, Leiv^t Govern^r.

Andrew Robeson, }
Lawrence Cock, } Esq^r.

Wm. Clarke, }
Rob' Turner, } Esq^r.

Some Indians from the upper part of the River being come to towne

[8th May, 1693.

Att a Councill Held att Philadelphia on Moonday The 8th of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson,	} Esq ^r .	Lawrence Cock,	} Esq ^r .
Rob ^t Turner,		Wm. Salway,	
Pat. Robinson,		Wm. Clarke,	

Andrew Robeson, Esq^r. made Return, That he had examined the Evidences ag^t Wm. Hudson, and found no positive Materiall Evidence ag^t him, & that he did deny the words.

Humphrey Murrey, a former Justice of the peace, did refuse to be continued.

Nehemiah Field had the oaths & Test, with the oath of Clarke of the Countie of Sussex, administred unto him.

[10th May, 1693.

Att a Councill Held att Philadelphia On Wednesday the 10th of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

Andrew Robeson,	} Esq ^r .	Lawrence Cock,	} Esq ^r .
Rob ^t Turner,		William Clarke,	
Pat. Robinson,			

Humphrey Waterman had the Oaths and Test, and oath of a Justice of the peace for the Countie of Philadelphia, administred unto him.

His Excell. did propose the necessitie of building a fort in some Convenient place upon the River Delaware, to Command the Channell for the Securitie and defence of trade and the Inhabitants: Which was putt to the vote and Caryed in the affirmative.

POST MERID.

Afternoone, The 10th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WILLIAM MARKHAM, Esq^r., Leiv^t Governo^r.

Andrew Robeson,	} Esq ^r .	Wm. Clarke,	} Esq ^r .
Lawrence Cock,		Rob ^t Turner,	

Some Indians from the upper part of the River being come to towne

to pay their respects to his Excell., His Excell. sent for them & gave them audience.

Lawrence Cock, Esq^r., their Interpreter.

Their Speaker laid a belt of Wampum att his Excell. feet, Saying: this Belt of wampum Came to us from the Indians of Virginia and Maryland, for a token of peace between them and us, and now wee lay it before your Excell., in token that wee desire peace with all the Indians that belong to anie English plantations in America: And desire your Excell. to persuade the Senecas from doing them anie harme in their hunting, (as was done to some of them Last Summer,) that they may hunt in safety.

His Excell. did answer: That he was shortlie to Return to Newyorke; That their majesties have made him Governo^r of Pennsylvania and New Castle, & putt all the forces of East & West Jersey under his Command, and hee was come here to publish it, But so soone as hee shall returne to Newyorke, will goe to Albany & there meet the five nations, and have Conference with them; And that he wold Enjoine the Senecas, & all the other Indians, to peace & friendship with them, & all other Indians belonging to the English provinces in America. Thérfore, they should not doubt his protection whilst they are of good behaviour.

The Indian Speaker Laid some dressed deer skins att his Excell. feet, & wished his Excell. joy of this government.

His Excell. told them that he was to returne to Newyorke himselfe, and Had appointed Leiv^t Governo^r Markham in his stead, and if anie of them be aggrieved in his absence, they must make application unto him for redresse, which they will alwayes have.

The Speaker says: Wee are verie thankfull to your Excell. for appointing one over us in yo^r absence who hath done good to us formerly, and whom wee Have known a Long time; and in token therof, Laid down some Bever att his Excell. feet.

The Speaker again says: Wee are now glad to know our Governo^r: when the Quakers governed sometimes one man & sometimes another pretended to be Governo^r, & when wee were in feare of the French and their Indians, and inclined to make warr with them, they would not encourage us, nor make anie preparations themselves, nor give us assistance: although wee are a small number of Indians, yet wee are men & know fighting. Wee hope yo^r Excell. will encourage us in it; & gave some raccoons.

His Excell. told them, That in February Last the French and Indians did invade the Mohoggs Countrey, and in three days hee was got to Schenactady with force sufficient to have destroyed them all; That they stoll away in a stormie night: But were sufficiently beat the day before, and most of their officers killed. Also, that hee was a man of armes, and not of the Quakers principle: That he had served their majesties in their army before hee came hither, and wold now goe as farr as any man to protect them, and all that doe owne their majesties authoritie, as well Indians as Christians.

His Excell. told them He hoped they will give him a prooffe of their Manhood & valour by sending some of their best men up to Albany, to assist our people ag^t the Enemy. That here they were in safety, for the French and their Indians cannot come near to hurt them, Unless they come over him, which they should never doe.

The Speaker said That some of them had been drunk; His Excell. must pardon it and not putt them in the stocks, for they knew no better, and the Christians did sell them the Liquor; and gave two deer skins.

His Excell. Replyed That their Brethren at Albany were not of their mind: in February last, some of them being drunck one killed another, and they came to me and prayed that I should dischaige the selling of Rum to the Indians during the warr, or that I wold punish such as were drunk.

The Speaker. Wee profess wee will be one Heart, and true to the English and to one another; Wee submitt ourselves to your Excell. and if ever you find us false, you shall cutt us all to pieces, making signs all over his body; & gave some deer skins.

His Excell. Replyed he was glad to see them so dutifull, and wold give them protection accordinglie. That he wold order something for them in testimony of his satisfaction with their friendship and submission.

[11th May, 1693.

Att a Councill Held att Philadelphia on Thursday The 11th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner, } Esq^r.
Pat. Robinson,

Lawrence Cock, } Esq^r.
Wm. Clarke,

Upon reading the petition of sundrie Sweedes, Inhabitants upon the river Skuikill, wherin they sett forth that their meeting hous is on the other side the river; That they Live three miles distant from the ferry, and that they are restrained from passing the river the nearest way to their worship on Sundayes & Holydayes by philip England, keeper of the ferry att Skuikill.

His Excell. did offer his Inclinations to remove anie obstruction that might be given to the worshipp of God, and his regard to the Interest of the proprietarie in the ferry, desiring the Councill's advice.

The Councill are of opinion, That the petitioners may have Libertie granted them to transport themselves over the river to & from their worshipp, provided they doe not abuse this Libertie to other ends, to the prejudice of the ferry.

[12th May, 1693.

Att a Councill Held att Philadelphia on Friday the 12th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r, Leiv^t Governo^r.

Robert Turner, }
Pat. Robinson, } Esq^r.

Lawrence Cock, }
Wm. Clarke, } Esq^r.

Upon reading of the petition of William dennis, Complayning of Cornelius Empson,

Ordered the said Empson have a Copie of the petitioner's Complaint.

His Excell. did order the Councill to resolve themselves into a Committee, to Consider what may be proper for his Excell. to offer to the Assembly.

[13th May, 1693.

Att a Councill Held att Philadelphia on Saturuday the 13th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

Robert Turner, }
Laurence Cock, } Esq^r.
Wm. Clarke, }

George Forman Had the oaths & Test, & oath of a Justice of peace for the Countie of Chester, administred unto him.

John Child had the oaths and test, and oath of the office of Countie Clark of Chester, administred unto him.

Jeremiah Collet, Thomas Smith, and Thomas Withers, did subscribe the declarations & profession of the Christian faith, and solemnlie promised to performe the office of a Justice of peace for Chester Countie, according to the substance of the oath of that office.

John Simcoke, John Bristow, George Merris & Wm. Jenkins, former Justices of the peace in the Countie of Chester, did give a dilatorie answer to his Excell. proposall to have them continued in that office.

Jonathan Hayes, Robert piles and Randall Vernon, did refuse the office of Justice of the peace in Chester.

Gilbert Wheeler and Joseph Wood took the oaths and Test, and office of a Justice of peace for Bucks Countie.

Rob^t Cole took y^e oaths & test, & oath of Clark of the County of Bucks.

[15th May, 1693.

Att a Councill Held att philadelphia on Moonday the 15th of May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

WILLIAM MARKHAM, Leiv^t Governo^r.

Andrew Robeson,	} Esq ^r .	Lawrence Cock,	} Esq ^r .
Rob ^t Turner,		Wm. Salway,	
Pat. Robinson,		Wm. Clarke,	

John Brocke did subscribe the declaration and profession of the Christian faith, and solemnlie promise to execute the office of a Justice of peace for Bucks Countie.

William Rodeney had the oaths and Test, and oath of Clarke of the County of Kent, administred unto him.

[16th May, 1693.

Att a Councill Held att Philadelphia on Tuesday the 16th of May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

WILLIAM MARKHAM, Leiv^t Governo^r.

Andrew Robeson,	} Esq ^r .	Wm. Salway,	} Esq ^r .
Robert Turner,		John Cann,	
Pat. Robinson,		Wm. Clarke,	

George Forman Had the oaths and Test, and oath of a privie Councillor for this province, administred to him, & by his Excell. was appointed to take place att the Councill board.

[3^d June, 1693.

Att a Councill Held att philadelphia in the Livet. Governor's house on a Saturuday 3^d of June, 1693, about ten in the morning.

PRESENT :

WM. MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson,	} Esq ^r .	William Clarke,	} Esq ^r .
Robert Turner,		George forman,	
William Salway,		pat. Robinson, Secry.	

Ordered that Jn^o Claypoole, Sheriff of philadelphia, doe forthwith attend att the market place with the Constables, the publication of the new Laws from their Originalls, under his Excell. hand, and of the

petition of right, & List of Laws therein contained, and the conclusion therof, and the ans^r given therunto under his Excell. hand, which were accordingly published.

Adjourned to the afternoon.

POST MERID.

Post Meridiem. Præsentibus Sicut antea.

Upon the reading of a Letter directed to the Livet. Governo^r from Jn^o Hill, Esq^r., sheriff of Sussex Countie, dated the 29th day of May, 1693, mentioning that upon Thursday next Last, Silvester garland brought him two silver cupps, mark't I B, and the other I A, which upon further inquirie, were known to be John Bellamie's, wherupon the said John Hill apprehended the said Indian, who upon examin said that his children found them in grubbie neck. Hee tells hee has him in Custodie in Irons, & desires the Live^r Governor's advice y^rin, & by what means hee may be discharged of him.

Ordered that Wm. Clarke, esq^r., in his return home take w^t him the sd Silvester garland, by a warr^t., & that hee examin the sd Indian befor the sd garland, as also the sd garland, & return the sd examinan to the Live^r Governo^r & Councill, and to continue or discharge ym as hee, the sd Wm. Clark, shall see cause.

[5th June, 1693.

Att a Councill, Held att philad. on a Moonday y^e 5th of June, Annoq domi. 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Live^r Governo^r.

Andrew Robeson, }
Robert Turner, { Esq^r.

George forman, Esq^r.
Pati. Robinson, Secry.

The Livet. Governo^r and Councill being informed of the arrivall of the Briganteen Ann from Barbadoes, & y^t the M^r., George Stiles, was Lost att sea, did call befor ym the briganteens Compa. & passengers, to give an acco^t of his death, whether it was casuall, or whether anie on board was instrumentall therin. Emanuell Marius, a Spaniard. deposed that being Saillor aboard the sd briganteen, came outt from Barbadoes about 5 weeks agoe, their Compa. consisting of the sd M^r. another Seaman, who was prest from them by a man of warr 3 dayes after they came thence, Christopher Hodges & the deponent; when they were in sight of land, 8 Leagues southward of the capes of delaware, wind Southeast, they gybed, and the boom knock't the sd M^r. overboard, & the deponent saw him in the sea, & imediatlie they cutt the boat Lashes & gott outt after the M^r. and saw the Sharkez byte his hatt, and as they came up to him w^t the boat hee sunk: the deponent said that the M^r. had no wife, & nothing on board but a few old cloathes & instruments, & that hee, the deponent, cannot take an observan, and knows onlie the North Starr.

Christopher Hodges deposed, that this accident happened of the 25th day of May Last, between the hours of 4 & 5 in the afternoone, after they had made land and ran to it, & came below the Inlett, and then the M^r. did bid us get readie the anchor and drop it, thinking it was the whorkill. Ned Burch, a passenger, & shoemaker by trade, being at the Helme wher the M^r., as he was showing him which wind to keep, brought the saill to gybe & struck Burch, whois head was a little above the deck in the steridge, and struck the M^r., who was standing aloft, quite overboard; & that this deponent saw his heells turn over his head, & so fell overboard and cryed to bring the vessell too, which they did, and gott outt the boat, & flung outt a barrell, & the passengers flung outt ropes, but hee could gett hold of none of ym; they saw him swim, and att Last sunk, just as they gott to him, & also deposed the substance with the Spaniard. Elizabeth Cruikshank & Jean Yelden, passengers, deposed much to the same purpose, and that the M^r. was Lost accidentallie.

[6th June, 1693.

Att a Councill Held att philad. on a Tuesday 6th June, 1693.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Go^r.

Andrew Robeson, } Esq^r.
Robert Turner, }

William Salway, } Esq^r.
William Clarke, }
Pat. Robinson, Secrie.

Ordered that Tuesday next it be considered att what place of the towne the public markt shall be kept.

[13th June, 1693.

Att a Councill Held at philad. on a Tuesday 13th of June, 1693.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson, } Esq^r.
Rob^t Turner, }
Wm. Clarke, }

Lacey Cock, } Esq^r.
Wm. Salway, }
Pat. Robinson, Secry.

Robert Brett, Clark of the market, appointed by Comission from his Excell. Benjⁿ fletcher, &c. having made some proposalls to the Livet. Governor and Councill about regulating the markt att philadelphia, Ordered that it be deferred untill it be known what are the Customs of newyork about the clark of the market & his fees, and that the market place be then also established.

Upon Complaint made to the Livet. Governor & Councill, that some of the Late Countie Clarks of the province and territories wold not deliver up to the succeeding Clarks Commissionated by his Excell. the

records, minutes, rolls, files & ordrs of their revive Courts, wtout an order,

Ordered that the Secrie issue this order, Sub^t by him, by ordr of Councill, for all the said Clarks to deliver up to the Succeeding Clarks Comissionated by his Excell. all the records, minutes, rolls, files and orders of their revive Courts, by Indenture, to be made between the former and succeeding Clarks, as they will answer the same att their perrill.

[20th June, 1693.

Att a Councill Held att philad. on a Tuesday y^e 20th of June, anno dui 1693.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Governor.

Andrew Robeson, }
Robert Turner, } Esq^r.

George Forman, Esq^r.
pat. Robinson, Secrie.

George Seith Having presented a petition, Setting forth that hee had been aspersed by some in this province, as having behaved himselfe offensivlie ag^t the governm^t, & particularlie by Thomas Lloyd, Sam^l Jennings, Arthur Cooke, & Jn^o delavall, in a Lett^r from them to him, bearing date the 26th of 10th Mo., 1692, to the Liv^t Go^r & Councill produced, wherein they accuse the said George of being Crazie, turbulent, a decryer of magistracie, and a notorious evill Instrument in Church & state, with manie other Severe expressions of that nature, and therefore requested a Certificate of his good behaveour.

Ordered that a Certificate be drawn and Signed to the petitioner; which was accordinglie done, and two of them Signed by the gentl. of the Councill then present: a Copie of the petitiⁿ, letter and Certificate, remain on the files of the Councill.

[26th June, 1693.

Att a Councill Held att philad. on a Moonday the 26^t of June, 1693.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Govern^r.

Andrew Robeson, }
Robert Turner, } Esq^r.

Lawrence Cock, Esq^r.
Pat. Robinson, Secry.

Upon reading of the petin of divers of the relatns, friends & neighbours of derrick Johnson, a prisoner Condemned to dye, The sd petion containing in it reflecting matter relating to the triall of the sd derrick, was rejected, Which the Livet. Gor. & Councill imputed to the drawer of the petin, (supposed to be Jn^o White,) & not to the petitioners, whom the Livet. Governor and Councill excused, because of their Ignorance

And thereafter, upon the petitiⁿ of Brighta, the wife of the sd derrick, begging the favor from the Livet. Governor of some support to herselfe and poor children, The Livet. Governor told ym he wold intercede for ym to his Excell. Benjm. fletcher, upon that accompt.

[27th June, 1693.

Att a Councill Held att philad. on Tuesday 27th June, 1693.

PRESENT :

WM. MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson, }
Robert Turner, } Esq^r.

Geo. Forman, Esq^r.
pat. Robinson, Secrie.

Upon reading the petition of Edward Burch to the Livet. Governor, setting forth, That having Sailed from Barbadoes in the barkenteen Ann, George Stiles, M^r., & onlie one man and a boy more belonging to her, the petition^r and his servant being to have their passage for their Labour: that the M^r, to the Southward of Cape Henlopen, was casually knockt over board and Lost, to the hazard of the shipp, goods & passengers, and that att the desire of the people on board, the petitioner, with great hazard of his Life, went ashoare, & for saving the Life of the people, & for preserving the vessell and cargoe, did agree with a person to pylot her to some safe harbour, and to give him twentie pounds, and having had an easie & speedie passage into the whore-kills, the said pylot was willing to take ten pounds sterling, which the petitioner accordingle paid, & took his receipt for the same: And yrfor praying that the owners or present M^r of the sd vessell may repay the said monies, & to allow some reasonable reward for his extraordinarie service, care and danger, &c.: M^r Jasper Yeates, to whom the sd vessell was Consigned, being called, and having had the sd petitiⁿ read to him, and alledging that the passengers promised the petitioner fourtie Shillings p head for his care,

It was ordered that the owners of the said vessell should pay back to the petitioner the said sum of ten pounds, & that hee might take his remedie att law for the fourtie shillings p head, promised to him by the passengers.

Upon the petition of the Inhabitants of the townshipp of Cheltenham, in philadelphia Countie, for a convenient roade to the towne of philadelphia, while it mav be done without injuri^e to the improvments of the Inhabitants: As also, for a convenient roade from the most inhabited part of the said townshipp, to Germantowne.

Ordered that the petitioners acquaint the Surveyor generall to attend the Councill the yth of July next, to informe about the conveniencie of the said road.

Upon the petition of the inhabitants of Chester, to order the division of the sd Countie from the Countie of New castle, for want of which the petitioners Have long suffered,

Ordered that one or two persons of each Countie doe attend the

Councill the yth of July next, in order to inform the Councill of the true state of that affair.

Upon the petition of philip England, Setting forth that wheras his Excellcy. Benjamin Fletcher, did confirm the proprietor's License for keeping a ferrie over Skuillkill to the petitioner, forbidding anie other to act therin att their perrill; And that notwithstanding therof, Wm. Powell does ferrie people over the Skuillkill, to the petitioner's damage, & yrfor requesting the said Wm. Powell may be suppress,

Ordered that the Secry. Issue outt a warrant, to be served on the sd Wm. Powell by the Messenger, to appear before the Councill the 18th of July next, to make ans' to the sd Charge.

11th July, 1693.

Att a Councill Held att philadelphia on a Tuesday, the yth of July, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Livet. Governor.

Andrew Robeson, Esq^r.

Rob' Turner, Esq^r.

Patrick Robinson, Secry.

The paucity of Justices of the peace for this Countie being represented to this board by some of the members yrof, It was thought fitt that between this & the 18th instant, John Jones & Joshua Carpenter should be desired to be present the 18th instant at this board.

Upon the petition of Edmond Lassell to the Livet. Governo^r and Councill, setting forth that he has been 3 years agoe prosecuted about making of monie, upon the evidence of persons att that time, Convict for the same crime, and yrfor requesting that upon his giving securitie for his good behaviour, hee might have Libertie to come into philadelphia to pursue his calling,

Ordered, That by reason of the uncertaintie of this petin, that the petitioner be Left to his course att law.

Upon the petin of Israell Taylor, Joseph Taylor and Jn^o Buzbie, setting forth That Robert Turner having had the administran of the estate of Christopher Taylor, their father, Comitted to him by the then Ordinary, 12 mo. agoe, and that hee hath done little in it, to the petitioner's great damage; And yrfor Requesting that the sd Rob' turner may be ordered to prosecute the sd business as farr as in him lies, otherwise the petitioners will be greatlie damnified.

Ordered, That if the sd Rob' turner doe not, with as much expedition as the Law will allow, perform the dutie of an administrator yrin, That another be appointed in his roome.

Upon the Request of some of the members of Councill, that an ord^r made by the Court of Quarter Sessions for the Countie of philadelphia the 4th July instant, (proceeding upon a presentment of the grand Jurie, for the bodie of the sd Countie,) ag^t the tumultuous gatherings of the negroes of the town of philadelphia, on the first dayes of the weeke, ordering the Constables of philadelphia, or anie other

person whatsoever, to have power to take up negroes, male or female, whom they should find gadding abroad on the said first dayes of the week, without a tickett from their M^r., or M^{rs}., or not in their Compa, or to carry them to goale, there to remain that night, & that without meat or drink, & to Cause them to be publickly whipt next morning, with 39 Lashes, well Laid on, on their bare backs, for which their sd M^r., or M^{rs}. should pay 15^d to the whipper att his deliverie of ym to yr M^r., or M^{rs}. & that the sd order should be Confirmed by the Lievt. Governo^r and Councill.

The Lievt. Governo^r & Councill Looking upon the sd presentment to proceed upon good grounds, & the ord^r of Court to be reasonable & for the benefit of the Inhabitants of the town of philadelphia, & that it will be a means to prevent further mischeifes that might ensue upon such disorders of negroes, doe ratifie & confirme the same, & all persons are required to putt the sd ord^r in execu'n.

Upon the presentment of the sd grand Jury for the want of a Channell to Convey y^e water each way along the front street, between Chess-nutt-street & Wall-nutt-street, & upon the ord^r of the sd Court that the Inhabitants between the sd streets on each side of the way should represent the same to the Livet. Go^r & Councill,

Ordered, That the Mess^r of the Councill, by ord^r from the Secrie, doe Summon all the inhabitants on both sides of the street from Chess-nutt to Walnutt-street, to attend the Councill the 18th instant, in ord^r to be heard in the sd matter, and to know the Livet. Governor and Councill's minds therein.

[18th July, 1693.

Att a Councill Held att philadelphia on a Tuesday the 18th day of July, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson,	} Esq ^r .	Lawrence Cock, Esq ^r .
Robert Turner,		Pat. Robinson, Secry.

Upon a former petn to the Livet. Governor & Councill, held 27th June Last, by philip England ag^t Wm. powell, for ferrying people over Skuillkill to the petitioner's damage, It was then ordered that sd powell should be Sumoned by y^e mess^r of the Councill to attend ym this day to ans^r the sd charge. The sd Wm. powell appeared & for his justificaon produced a paper wherein the grand Jurie for the Countie of philadelphia, held the 7th of the 4th mo. 1692, presented the conveniencie of another ferry att Wm. powell's on the Skuillkill, which the sd Court allowed, approved, and thought convenient that it should be done accordinglie. To w^{ch} the Livet. Governo^r ansred that y^e was no authoritie for him to keepe a ferrie there in prejudice to the ferrie established by the proprietor. But therafter the sd Wm. powell answered That he wold desist from & leave off ferrying over people att that place, & that none else under him should ferrie any people over from his Land for anie reward, And which the Livet. Governo^r strictlie charged him to observe att his perrill.

Robert Brett Having made known to the Livet. Governo^r & Council that he had a Comission from his Excell. Go^d fletcher, for Clark of the market of philadelphia, Requested that they wold establish suteable fees to the said office.

Ordered, That the Clark of the market for the sd towne shall & may receive for all Cattle killed for the market Sixpence p head; for everie sheepe, calf & Lamb, two pence p head, for everie Hogg or shoot brought to the market or cutt outt for Sale there, three pence, And that nothing shall be paid for what the Countrie people bring to towne readie killed; And y^t hee shall & may receive for Sealing of weights & measures, One pennie for each great or small. And they also Ordered, that all persons concerned should duely pay the Clark of the market the above said rates; And that all Justices, sherriffs, Constables and other officers be ayding & assisting to him in the execuon of his said office.

According to an ord^r of the Livet. Go^d and Council, of the yth of Julie instant, John Jones and Joshua Carpenter having appeared, & the office of a Justice of y^e peace being offered ym, John Jones absolutelie refused the same: Joshua Carpenter accepted, and did take the oaths appointed by act of parliament to be taken instead of the oaths of allegiance & Supremacie, & subt. the test, & took the oath of a Justice of the peace.

In obedience to a form^r order of Council, dated yth instant, some of the Inhabitants betweene Chess-nutt & Wall-nutt street, did appear, viz: Griffith Jones, Sam^l Carpenter, Anthony Morris, Alex^r Beardslie, Nath^l Sykes, Humphrey Morrey, Rob^t Ewer, Joshua Carpenter, Tho. Marle, who did represent their willingness to have a Channell in the midst of the street to convey the water both wayes along the front street, between the sd two streets, qrb^y the nuisance between the sd two streets might be remedied, and did desire that since they could not agree among ymselves about the manner of it, That the Livet. Governor & Council wold take such Course yrin as might be Compulsorie, & binding upon ym & the rest of the freeholders between the said two streets.

Ordered, That Anthony Morris, Joshua Carpenter & Alex^r Beardslie, doe oversee & order the doing of the sd worke, with all expedtn & y^t they take such advice & assistance y^rin as they shall think fitt, and that the charge be laid equallie & proportionablie upon the freeholders on each side of the way between the sd two streets.

[30th July, 1693.

Att a Council Held att philadelphia on a Thursday the 30th of July, 1693.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Governo^r.

Robert Turner, }
Lawrence Cock, } Esq^r.

Pat. Robinson, secry.

Israell Taylor, sheriff of the County of Bucks, Having been Called before the Livet. Go^r & Councill to give an acco^t of the estate of derrick Jonson, Lately sentenced & executed for murdering an unknown person; And whether he had observed the Law relating to the estates of persons executed for murder; And why hee went from towne without taking full Instructions about the said estate; And why hee had disposed of some parts of the sd estate Contrarie to the instructions he had received from the Livet. Governo^r: To all which Hee answered, That hee had not Inventoried the sd whole estate; and that hee had taken some part of it, but had not meddled with the widdow & children's half part; and that hee had disposed of some of the movables; and that hee had paid no flees but conditional-lie, to be repaid him if demanded; and that hee had great trouble about it; And that hee had procured to himself manie enemies on the acco^t of his office; and after a peremptorie manner, desired to be dismissed from the same: From which the Livet. Governo^r did dismiss him from that time.

Ordered, That Israell Taylor doe bring in the Inventorie of the estate of derrick Jonson, and the apprizment therof, with a particular acco^t how, in what manner, to whom and for what, hee has disposed of the same, by the 13th of August next; which hee promised to doe befor y^t time; and further added, that hee could give a true & just accompt of the same.

Ordered, That a Bill of Charges of 7£, 15S, & 5d, disbursed and brought in by Rob^t Cole for saving, reaping and securing the Crompt of Corne, be paid him out of the sd estate of derrick Jonson, with something for his owne pains, travell & expences.

[1st August, 1693.

Att a Councill Held att philadelphia on a Tuesday the 1st day of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson,
Robert Turner, Esq^r.

Lawrence Cock, Esq^r.
pat. Robinson, Secry.

His Excell. Benjm. Fletcher's Lett^r to the Livet. Governo^r and Councill was this day read, & becaus of the thin Councill, It was ordered y^t the same should be considred the 8th instant in a full Councill, And y^t y^e Secrie. give notice to as many of y^e Councill to be then present as (by reason of their distance) can.

Thomas Meaking, keeper of the free schoole in the town of philadelphia, being called befor the Lt. Go^r and Councill, was told that hee must not keepe schoole wtout a Licence. Ansred that hee was willing to Comply, and to take a Licence: was therefore ordered to procure a Certificate of his abilitie, Learning & diligence, from the Inhabitants of note in this towne, by the Sixteenth instant, in order to the obtaining a Licence, which he promised to doe.

Upon Reading the petition of Charles Butler against David Lloyd, Ordered That the Consideration thereof be referred to the next Council, the 8th instant, and that the Secre. cause the mess^r Sumons the sd David Lloyd to be then present to answer to the same.

John Claypoole, Sheriff of the Countie of Philadelphia, Having informed the Lt. Go^r & Council that the members of Assemblie for the sd Countie, & the other 3 assessors chosen by ym, Having thought fitt to nominate him Collector for the sd Countie of the supply money, but were desirous that the Lt. Go^r & Council might take Securitie from & with him in 500 ll. for his performance thereof & fidelitie therein, Hee brought before the Lt. Go^r & Council Sam^l Atkins for his Securitie, Whom the Lt. Go^r & Council (with their owne Consents) ordered to be bound in 1000 ll. jointlie & severallie, to their maties, with Condition that the sd Jn^o Claypoole should faithfully discharge that trust, and that hee should pay to the Treasurer all such sums as hee should from time to time receive, And ordered the Secre. to take their obligacon to their maties accordingly.

In prosecution of an order made the 27th of June Last, past on the petition of the inhabitants of Cheltenham, for a road to Philadelphia, Ordering the then petitioners to Desire Rob^t Longshore, deputie Surveyor generall, to attend the Council to informe about the Convenience of the said road.

This day Tobias Leech and the sd Rob^t Longshore appeared. Ordered That this petition, & another from the Inhabitants of 2^d Dublin township, which was this day read, be considered the 8th instant, & that one person from each of the said Townships represent the said grievance therein mentioned, and that the Deputie Survey^r generall be then present, to inform about the Convenience of the Road desired.

[8th & 9th of August, 1693.

Att a Council Held at Philadelphia on Tuesday and Wednesday the 8th & 9th of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson, }
Rob^t Turner, } Esq^r..
William Salway, }

John Cann, }
Geo. forman, } Esq^r..
Pat. Robinson, Secry.

His Excell. Benj^a Fletcher's Lett^r to the Lt. Go^r & Council having been read, It was Resolved that a particular answer should be given to each part thereof & a minute made of the same.

The 1st clause thereof begins thus: "After my Heartie Salutaon, I doe recommend that you diligently intend the keeping of the peace in y^r province & Countie Comitted to yor charge. I hope you will alwayes behave yoselves wth that prudence, moderation and justice in

“yo^r Severall stations during my absence, that will justifie yo^r Character & my choice.”

The Lt. Go^r & Councill did Resolve, That they wold, according to the outtmost of their power, skill & ability, perform their rexive duties yrin, and hope that no Imprudence, Immoderation or Injustice should be found amongst them, or exercised by any of them, towards the people or one another, soe as to Impeach their Character or Condemn his Excellencies choice.

To the 2^d, viz: “If there be any urgent necessitie for my presence to assert their maties interest, and Confirm the peace & quiet of the subject, I shall be readie to come amongst you att all times when their maties other affairs in the frontiers of this province will give me Leave. I confide much in your care.”

The Lt. Go^r & Councill are of opinion that att present there is none, for the people doe submitt to their maties government under his Excellcy & the Lt. Go^r, and are generallie Quiet under the same; And their care that it may so Continue will not be wanting.

To the 3^d, viz: “I wold have you send me a Copie of the proceedings of that speciall Court of Oyer and Terminer, with all the severall evidences that were given upon triall ag^t the murderer who is putt to death.”

Ordered That the secerie who was Clark to that triall, draw outt a fair Copie yrof, & of the depositns of the severall evidences, & Transmitt the same to his Excellcy.

To the 4th, viz: “I desire your care in Causing the penny in the pound to be duly collected, and if any of the Representatives of Assembly be backwards, Let me know their names and Residence.”

The Laying of the same, Appointing assessors, Collectors, and the bringing in the names of the Inhabitants, does go on with as much expeditn as may be in all the six Counties, and if anie persons concerned shall be found backwards or negligent to assist in making the same, ordered that their names & residence be transmitted to his Excellcy, and that all possible care be taken to supplie that defect by all Lawfull means.

To the 5th, viz: “It is my earnest desire that you take care to suppress all faction, heats and animosities, and that by such prudent methods and wayes as may most Contribute to the compassing the end.”

Resolved, that as it hath been, so it shall be the Lt. Go^r and Councill's care to suppress the same, and the discontents seem rather to decrease than Increase.

To the sixt, viz: “I wold have you from time to time to give me a particular acco^t of all publick occurrences in the government, who, or wnat, doth obstruct its peace & quiet, and what will most advance the benefit yrof.”

Resolved that his Excellies desire therin be dylie answered.

To the 7th, viz: “You know there is no Revenue fixed for support of y^r maties government; How my time & patience was wasted the Last assembly to no purpose. I doe now desire yo^r advice in the

“ calling of an assembly, if it may be Convenient, this fall, & that you
 “ doe use yo^r Interests to procure such Representatives as may be best
 “ affected to their maties government.”

This having been thorowlie debated, It is the Lt. Go^r & Councill's opinion, That in regard that it's now the high time of rating the tax Land by the Last assembly, It was not convenient to make anie Conclusion. But Resolved, that when the rates are Laid and brought in, That this debate be Reassumed; Unless his Excelly will be pleased to give the Lt. Go^r & Councill his reasons for having an assembly this fall, which then shall be debated and resolved upon.

Thereafter the whole Councill present Unanimouslie requested that the Lt. Go^r wold be pleased to write in his owne & their names a Letter of thanks to his Excell. for his sd Letter & care of ym & the province, & y^rin to assure him of their loyaltie to their maties, of their obedience to their governm^t, of their good affections to his Excelly, and their heartie inclinaons to maintain, promote & advance all their just interests, & of y^r care & diligence to discharge the trust reposed in ym, though not after the strict rules & methods required of persons of better education, experience & Learning; yet after the generall rules of Comon Justice, which they earnestlie beseech his Excelly to accept of.

Charles Butler's petition ag^t David Lloyd (from the preceeding Councill referred to this) was read, setting forth: That when the sd David Lloyd was Clark of ye provinciall Court Held the 24th 7ber 1691, The petitionr was indicted for uttering & paying away severall peices of false monie, of false mixt mettall, to the Likenes of spanish Coyn, called peices of eight, wch hee sometime before made or Coyned in the Countie aforesaid, Intending craftilie, falslie, deceitfullie & traitourouslie, to defraud the king & his people, (wtout anie authority or Licence from the King & Queen to him given.) Contrary to the Laws in such case made & provided: And also, setting forth that the sd David Lloyd did add to the pettie Juries veredict ag^t the petitioner, (&c.) which the Jurie apprehending & reproving, demanded up their veredict again, (with consent of the bench,) and went forth again, & agreed on & wrote down their veredict again in the former words, as before they had done, viz: Philadelphia the 26th of y^r 7th mo., 1691. “ Wee of the Jurie doe find Charles Butler guiltie of dispersing bad monie.” Unto which the sd David Lloyd after that added, (&c.) whereby yor petitioner had sentence of misprision of Treason pronounced ag^t him, viz: That he shall forfeit his goods and chattells forever, and the profitts of his Land during his Life, and be Imprisoned during his Life. And therefore, Requesting Reliefe.

The said David Lloyd appearing, made ansr. That hee added nothing to the verdict, and that the Records wch yrin has the, (&c.) added to their veredict, was made up after sentence past on the petitioner, & that the, (&c.) in the record to the veredict, was for forms sake, and yrfore could not be the caus of the sentence.

Upon full debate hereof, the sd Complaint was found to have matter of Law in it ag^t David Lloyd, not cognizable by the Lt. Go^r & Councill;

yet thought the sentence of misprision of Treason verie severe ag^t y^e petition^r, for being only found guilty of dispersing bad money.

The Councill therefore desired his Excellencie, or in his absence the Livet. Governo^r, on the petitioner's application to grant him a pardon.

Upon the Complaint of Magister Jacobus Fabricius, the sweeds minister, That being blind, he was reduced to that povertie that hee had not wherupon to Live,

Ordered, That the Church-wardens of their Church, have notice to appear att Councill the fifteenth instant, to make ansr to the said complaint.

In answer to the petion of the inhabitants of Cheltenham-Townshipp, to the Lt. Go^r & Councill, y^e 27th June, 1693; And of the Inhabitants of second Dublin townshipp, the 1st August instant, both requesting the Confirmation of their roads from the sd respective townships to philadelphia,

Resolved, that the Comon road from Cheltenham townshipp to German townshipp, & from Cheltenham Townshipp to philadelphia, and from 2^d dublin townshipp to philadelphia, (commonlie called Walter King's road) be & are hereby confirmed to be the high and Comon roads, provided they have been such for foure years Last past; And that the said Cheltenham road extend up into the Countrey to peter Chamber-Lains; And that the overseers of the Highwayes clear the said roads according to the methods prescribed by Law.

Upon the petion of philip England, setting forth that he hath a Licence for the ferrie att Skuillkill & Ordinarie there, on a place right ag^t the High-street on Skuillkill side, from the proprietor, & another from his Excell. Benjⁿ Fletcher, &c., confirming the same, on the condions yrin exprest, and that he hath a grant from the Comrs of the proprietor's propertie of a Leass for the sd ferrie for ten years, or untill the proprietor should otherwise order, with 12 acres of Land on the west side of the sd ferrie, and ten acres on the east side yrof, as Land to the sd ferrie belonging, att 7l. p annum, to comence from the first of March next. And yrfors, Requesting the Lt. Gor. & Councill to grant to y^e pet^r the sd Leass, under their hands & seals, on the terms above mentioned, & ansrable to the sd grant from the Comrs to yor pe^r, & yrin to ord^r to whom the sd rent should be yearlie payable for the proprietor's use; yo^r pe^r behaving himself as hee ought to doe in the capacite of a keeper of the ferrie in that place.

Resolved, That the Lt. Go^r (by reason that there are no Quorum of the proprietor's Comr^s that will act in y^e capacite,) grant to the petition^r the sd Leass, under his hand & Seal, on the terms above writtin, & ansrable to the Comrs sd grant to the pe^r, dated 24th June, 1693; and that the sd rent be made payable to Rob^t Turner, for the proprs use; The per. behaving himself as he ought to doe in the Capacite of a ferry-keeper in the said place.

John Cann, Esq^r., a member of Councill, having Complained to the Lt. Go^r & Councill, that John White, Late Clark of Newcastle Countie, had caryed away out of the sd Countie the Records of patents, deeds & Lands, & the records of the probats of wills, & severall

yet thought the sentence of misprision of Treason very severe, & petition, for being only found guilty of dispersing bad money. The Council therefore desired his Excellency, or in his absence the Lieut. Governor, on the petitioner's application to grant him a pardon.

Upon the Complaint of Magister Jacobus Fabricius, the sword-bearer, That being blind, he was reduced to that poverty that he had not wherewith to live.

Ordered, That the Church-wardens of their Church, have notice to appear at Council the fifteenth instant, to make answer to the said complaint.

In answer to the petition of the inhabitants of Cheltenham-Township, to the Lt. Gov. & Council, v. 27th June, 1693; And of the inhabitants of second Dublin township, the 1st August instant, both requesting the Confirmation of their roads from the said respective townships to Philadelphia.

Resolved, that the Common road from Cheltenham township to German township, & from Cheltenham Township to Philadelphia, and from 2^d Dublin township to Philadelphia, (commonly called Walter King's road) be & are hereby confirmed to be the high and Common roads, provided they have been such for four years last past; And that the said Cheltenham road extend up into the County to Peter Chamber-Laine; And that the overseers of the Highway clear the said roads according to the methods prescribed by Law.

Upon the petition of Philip England, setting forth that he hath a Licence for the term an Skunkkill & Ordinance there, on a place right by the High street on Skunkkill side, from the proprietor, & another from his Excellency, Deputy, Fletcher, &c., confirming the same, on the condition vtn express, and that he hath a grant from the Comrs of the proprietor's property of a Lease for the sd term for ten years, or until the proprietor should otherwise order, with 12 acres of Land on the west side of the sd term, and ten acres on the east side vtn, as Land to the sd term belonging, at 7th p annum, to commence from the first of March next. And vtn, Requesting the Lt. Gov. & Council to grant to y^e pet the sd Lease, under their hands & seals, on the terms above mentioned, & answer to the sd grant from the Comrs to y^e pet, & vtn to ord to whom the sd rent should be yearly payable for the proprietor's use; Y^e pet behaving himself as hee ought to doe in the capacity of a keeper of the term in that place.

Resolved, That the Lt. Gov. (by reason that there are no Quorum of the proprietor's Comrs, that will act in y^e capacity,) grant to the petition the sd Lease, under his hand & Seal, on the terms above written, & answer to the Comrs sd grant to the pet, dated 24th June, 1693; and that the sd rent be made payable to Robt Turner, for the proper use; The pet behaving himself as hee ought to doe in the capacity of a ferry-keeper in the said place.

John Cann, Esq., a member of Council, having complained to the Lt. Gov. & Council, that John White, Late Clerk of Newcastle County, had carried away out of the sd County the Records of patents, deeds & Lands, & the records of the probate of wills, & generally

papers, bonds and Inventories yrto belonging, which they had wanted for some years past, to the great prejudice of their Countie, Orphans and others, Requesting releife.

John White Having been sent for, appeared & made ansr that hee delivered all papers and records to his principall, Thomas Lloyd, and that he had none of them.

Resolved, That John Cann & Wm. Salway, Esq^s., goe to said Thomas Lloyd and demand of him all Records & papers of all the offices hee formerlie had relating to the Countie of Newcastle, philadelphia, and all other the Counties of the province.

They on their Returned Reported, That hee ansred That hee wold send to the Lt. Go^r the two books relating to Newcastle Countie : But for the books relating to the other Counties, hee wold Discourse the Livet. Governor about them.

Upon the petion of the Inhabitants of Chester Countie to the Lt. Go^r & Councill, To adjust the bounds of the sd County from the County of Newcastle, Referred from the Councill, June 27th, to this.

After full debate of the said matter, Resolved, That, (for the present Conveniencie of the government, and not for an absolute and finall proprietarie division, but that the Inhabitants on the borders of both Counties may know to which of the two to pay their Leavies, taxes, &c., and performe their other Countie services,) The bounds of New castle Countie shall extend Northward to the mouth of Naman's creek, and upwards along the South-west side of the northernmost branch, (excluding the Townships of Concord & Bethell,) and not to extend backwards of the said northernmost branch, above the sd two townships.

The Debate concerning the establishing of the place of the markt of philadelphia (referred from the Councill of Sixt of June Last to this) being Reassumed & now thorowly debated, (for the Conveniencie of all the Inhabitants of philadelphia,) as also the regulaon and fees therof answerable to the present Circumstances of the Town and Countrie.

[The Markett of Philadelphia.]

The Livet. Go^r did put it to the vote, Whether the markt should remain in the place where it now stands, on the west side of delaware front street, within the High street. It was caried in the negative, nemine contradicente.

The Livet. Go^r did putt it to the Vote, Whether the markt should be held att markt Hill, in Delaware front street. It was caried in the negative.

The Livet. Go^r did putt it to the vote, Whether the markt should be placed where the Second street crosses the High street. It was carried in the affirmative. But in respect that the said place could not be forthwith staked outt, & the bounds & extent of the markt place there ascertained, It was unanimslic

Resolved, that after the 12th instant, the markt & stalls be for the present removed to markt-hill, & be there kept untill such time onley.

and no Longer, as the Lt. Gor. shall cause the place wher the second street crosses the High-street, to be staked outt for the markt place, & till a Bell-house be built & erected, & the bell hung in the sd place, and that notice yrof be given to all persons concerned, by the clark of the markt.

Robert Turner, Esq^r, treasurer of the sd province, Having requested the Lt. Go^r & Councill to establish what sum Jn^o Claypoole, Sheriff, shall have for the moneys hee shall pay to him as Treasurer,

Resolved, that hee allow the sd Jn^o Claypoole 12^d p pound.

[18th September, 1693.

An a Councill Held att phila on 15th day of Tbr., 1693.

[29th August, 1693.

Att a Councill Held att philadelphia on Tuesday the 29th of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Leiv^t Govern^r.

Andrew Robeson, } Esq^r.
Robert Turner, }

William Salway, Esq^r.
Pat. Robinson, Secry.

Upon the peticion of the Inhabitants in and about the Townshipp of South-hampton, Requesting the King's road already Laid outt from the falls to South-Hampton, to be Laid outt & continued from South-hampton to philadelphia, by the Surveyor generll, with the assistance of the neighborhood, and that the same may be confirmed to be the King's road,

Ordered, That a warr^t from the Lt. Go^r be directed to the surveyor genrll, to Lay outt the king's road from South-Hampton to Henry Waddie's plantaon, where it may fall into the king's old road, to the great advantage of the Inhabitants: provided it be Laid outt att the p^r's charge, and that a Return yrof be made into the Secrie's office, in order to a finall confirmaon of the same.

Upon the peticion of the Inhabitants of the first dublin Townshipp, Requesting a Continuation & Confirmaon to the sd townshipp of a ten year old road to Walter forrest's mill,

Ordered, That warr^t from the Lt. Go^r be directed to the Surveyor generll, to Lay outt the road desired to be continued & confirmed: provided it be Laid outt att the p^r's charge, & y^t a return yrof be made into the secrie's office, In order to a finall Confirmation of the same.

Upon the peticion of the Inhabitants of Oxford townshipp, desiring the Lt. Go^r & Councill not to confirm the High road granted to the Inhabitants of 2^d dublin Townshipp, from thence to philadelphia, upon the 8th and 9th instant,

The Lt. Go^r & Councill did not think it reasonable to grant their Request, and therefore, Resolved, That for a further Confirmaon of the sd road from 2^d dublin townshipp to philadelphia, a warr^t from the Lt. Gor. &c., be directed to the surveyor genrll, to Lay outt the sd

road from 2^d dublin townshipp to philadelphia: provided, it be Laid outt att the p^r's charge; And that a Return yrof be made to the Secrie's office, in ord^r to a finall confirmaon of y^e same. And as to the other road mentned in their petition, through Oxford to franekford, when they Request the Laying of it outt for a publick road, It shall be then further considred.

[19th Septembr, 1693.

Att a Councill Held att philadelphia on 19th day of 7br., 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Livet. Governo^r.

Robert Turner, }
Wm. Salway, } Esq^r.

Lawrence Cock, Esq^r.
pat. Robinson, Secry.

THE Livet. Go^r Having produced a Lett^r from John Miller, the minister of Newyorke, directed to him, dated 18th August, 1693, which came to his hands the 4th instant, Containing enclosed severall copies of a printed Breife, granted by His Excell. Benjamin Fletcher, &c., by & with the advice of the Councill of Newyorke, to waraner wessells, Antie Christians, & others, the friends of Cornelius Christians, peter Wessels, Bartholomew Rowston, John Crage, & Wm. Green, Late of Newyork, mariners, & now Captives in Algiers, (by reason y^e their relaons are not able to redeem ym,) To ask & receive the charitie of all Christian people undr his Excellys. governm^t, for their redemption: As also, severall Lres to se^all places & persons in pennsylvania relating yrto: And yrfore, desiring the Lt. Governor's assistance yrin, and y^e he wold promote it as much as he can, and to cause distribute the said Briefes and Letters.

And since, by reason of the sicklie time, the Lt. Go^r could not have a full Councill, and being Unwilling to deferr the consideraon of the affair anie Longer, did Communicate the same to this board, and after the said Lettr & Briefe wer read, desired the advice and opinion of the Councill yrin, Who, though they declared ymselves willing to exercise their charitie towards such Captives, Yet upon debate, were of opinion, THat they having no command nor advice from his Excelly concerning it, and the briefe being granted by his Excelly, by & with the advice of the Councill of Newyork only, and that it had no relation to this province, & did therfore Humblie conceive That they ought not to be distributed.

Ordered, That the secrie write to the assessors of the rexive six Counties, to Transmitt to the Lt. Go^r & Councill, by the 3^d of 7br. next, a true Copie of the assessment of the penny in the pound, with the names of each person, and how much they are rated, Signed by the assessors, as the originalls are.

Ordered, That hee also write to the severall members of Councill that they be present att a full councill, the 3^d of October next.

Upon reading the petition of Philip England ag^t Wm. Powell & Nathaniell Mullinax, It was referred to the Consideration of the next full Councill, And in the meane time, that they, by an ord^r from the Secrie, be summoned to be then present, to answer to the petitioner's charge ag^t them.

[23^d Septembr, 1693.

Att a Councill Held att Philadelphia the 23^d day of September, 1693

PRESENT:

WILLIAM MARKHAM, Esq. Lievt. Govern^r.

Andrew Robeson,
Robert Turner, } Esq^r.
John Cann,

William Salway, Esq^r.
pat. Robinson, Secry.

Four of the provincially Judges, viz: Andrew Robeson, Wm. Salway, John Cann, Edward Bleake, Constituted by his Excellency Benjamin Fletcher, the Chief Governor, Commission dated the 29th of May Last, brought their Commission to this board, advising that the same was dated before the Law was past that did appoint there should be five provincially Judges, and that it was not in such forme as answered the Law, And not having time before the day appointed by Law for their sitting, Requested the Lievt. Govern^r to grant them a Commission which might answer the intent of the Law, which by the advice and Consent of the whole board, was ordered to be done, and was done accordingly.

[1st Octob^r 1693.

Att a Councill Held att Philadelphia the 1st day of October, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r Lievt. Govern^r.

Andrew Robeson,
Robert Turner, } Esq^r.
John Cann,

Wm. Salway, } Esq^r.
Lacey Cock,

The Lievt. Govern^r produced to the Councill a Letter which hee had received from his Excellency Benjamin Fletcher, the Chief Govern^r, wherein hee ordered him to summons a Councill, which was then Convened accordingly. The Letter having been read, was in these words:

SIR, I have appointed the first Wednesday in October next for the meeting of Commissioners from all the neighbouring Colonies and provinces, att New York, to Concerte and agree upon a Quota of men and money for the defence of the frontiers. You have seen their maties Commands to mee as Govern^r of pennsylvania for that purpose. You are therefore to gett the Councill, or a Quorum, together, to Consider of a fitt person for pennsylvania & the Countrey of new Castle. Signed Benjⁿ Fletcher, dated att fort William Henry; the 23rd 7br, 1693.

Upon which the board having debated, and then Unanimouslie resolved that Wm. Salway, esq^r. should be the person for this province and Countries, to treat with the Comrs. of the neighboring Colonies appointed to meet att New York. Concerning a Quota of men & monies for the defence of the frontiers, according to her maties Letters to his Excellie the Chief Governo^r, and the Lievt. Governo^r is desired to Commissionate him for that service, & to give him such Credit as is requisit therto, which was accordinglie done.

Ordered, that the sd Wm. Salway have for the defraying of his charge Twentie shillings per diem, and that Rob^t Turner, Esq^r. treasurer, pay the same to him, and that hee reimburse himself outt of the next tax to be collected, and that hee pay him downe Seaven pounds; & that the Lievt. Governor give an order for the same.

[Regulation of Markett.

It was this day, by the Lievt. Governor, with the advice of the Councill, agreed, That the Regulaon of the market of philadelphia should be as follows, Viz :

1^o That the place for the markett be in the High-street, wher the second street Crosses it and in no other place.

2^o That the market be kept there two dayes in the week weeklie, viz : Wednesday and Saturday.

3^o. That all sorts of provisions brought to this town for sale, viz: flesh, fish, tame fould, butter, eggs, cheese, herbs, fruits & roots, &c. be sold in the aforesaid market-place ; And in case anie of the aforesd provisions should come to the town of philadelphia on other dayes that are not market dayes, yet that they be sold in the market, under the same Circumstances, regulaons & forfeitures as upon the dayes on which the market is appointed ; and in Case anie of the sd provisions be exposed to sale in anie other place in this town than the sd markett, they shall be forfeited, the one half to the poor of philadelphia, the other half to the Clark of the markett.

4^o. That the market begin and be opened att the ringing of the bell, which shall be rung from the first day of the 2^d moⁿ aprill, to the first day of 7ber., between the hours of six & seven, and from the first day of 7ber. to the first day of Aprill, between the hours of eight & nine, and in case anie of the aforesd provisions, or anie sort of marketing be sold (flesh excepted) befor the ringing of the bell, unles it be for his Excellie the Governo^r in Chief, or Leiv^t Governo^r, the same shall be forfeited, one half to the poor, the other half to the Clark of the markett.

5^o. That no person cheapen or buy anie of the afore mentioned provisions by the way as it comes to the market, upon forfeiture of the same, besides the forfeiture of six shillings, both to the buyer & seller, one half to the poor, the other half to the Clark of the markett.

6^o. That no Hucksters (or persons that sell again) shall buy or cheapen anie of the forementioned provisions untill it hath been two hours in the markett after the ringing of the bell, upon forfeiture of the same & six shillings, one half to the poore, and the other half to the clark of the markett.

7°. That the Clark of the markt shall and may receive for ail Cattle killed for the market, six pence p head; For everie sheepe, Calf or Lamb, Two pence per head; for everie hogg or shoat brought to the markt, or cutt outt for sale there, three pence; and that nothing shall be paid for what the countrie people bring to town readie killed.

8°. That the Clark of the markt shall & may receive for sealing of weights & measures one pennie for each, great & small.

Lastlie. That all persons Concerned shall duclie pay to the Clark of the markt the severall Rates, fees & forfeitures aforesd, & that hee shall from time to time deliver to the overseers of the poore their parts therof; and that all Justices of the peace, sheriffs, Constables, and other officers, be aiding and assisting to him in the execution of his office. Given att philadelphia, the first day of October, 1693.

[24 Octobr, 1693.

Att a Councill Held att philadelphia the 24th day of October, 1693.

PRESENT:

WM. MARKHAM, Esq^r., Leivt. Governo^r.

Andrew Robeson, }
Robert Turner, } Esq^r.

Wm. Salway, }
- Lacey Cock, } Esq^r.

Wm. Salway, esq^r., who was appointed Com^r. for the province, &c. to meet the Comrs. of the neighboring Colonies att Newyork, to Concert and agree upon a Quota of men & monie, &c., gave in to this board an acco^t of his proceedings, which was read and unanimouslie approved of, viz:

NEW YORK, Wednesday the 4th of 8br., 1693.

Pursuant to her matie's Commands, att the request and appointment of his excellie Benjⁿ fletcher, Governo^r & Capt. generall of New yorke, &c., to the revixe Governors of Virginia, Maryland, pennsilvania, New england, Connecticut & Roadisland, desiring them revixlie to Commissionate and depute persons to meet here the first Wednesday of this instant October, to Concerte and agree together upon a Quota of men, or other assistance, to be given by each Colonie or province for the defence of New york, as occasion may require the same, Appeared Miles Cary, gentl., deputed from the government of Virginia; Wm. Salway, esq^r., deputed from pennsilvania; and Wm. pitkin, Esq^r., deputed from Connecticut; & appointed to meet to-morrow morning.

THURSDAY, October the 5th, 1693.

The above named Comrs. being mett, James graham, esq^r., appeared, deputed from his excellie the Governo^r of Newyork, requiring

him to Lay before us the true and perfect state of this province, together with the great charge they have been Latelie att in securing the fronteers att Albany, from the attempts of the French. And also, to Lay down an estimate of the annuall charge that the sd fronteers may require for securing the same for the futre: Wherupon they adjourned till friday att nine a Clock.

FRIDAY, October 6', 1693.

The Com^r being mett, Having before them the charge this province has been Latelie att in defending Albanie, its fronteers, & the estimate of the annuall charge for securing the same for the future, fell upon the Consideraon of pursuing her most gracious Matie's Comands in agreeing upon a Quota of men, or other assistance to be given by the revixe governments of Virginia, Maryland, pennsylvania, Connecticut, New england, & Road island, And their being a failure, no persons appearing from the governments of Maryland, New england, & Road island, are of opinion that the sd Quota of men, or other assistance to be given, as aforesaid, Cannot be agreed on for want of persons deputed from the said governments, and doe accordinglye humblie represent the same to his Excellie the Governor, with the assurance of the readines of their revixe governments to pursue her sacred Matie's Commands in giving such aid & assistance, in men or otherwise, for the securitie of this province from the attempts of the French or Indians, as the Condition of the revixe plantaon shall permitt.

MILES CARY,
WILLIAM PITKIN,
WM. SALWAY.

Ordered, That the sd Wm. Salway be paid the remaind^r of his travelling charges allowed him by order of this board the first instant, viz: Twenty shillings per diem, Hee having been outt ten dayes; and for his Loss of time and service, six pounds; and that it be paid outt of their matie's moity of the pennie pe pound tax.

Charles pickering, in behalf of the widdow Wynne, having preferred a petion to the Leivt. Governor and Councill, setting forth that her Husband, Thomas Wynne, Late of Sussex Countie, deceased, had been Sumoned to the Court of New Castle, to ans^r the Complaint of Adam Short and others, But falling sick, dyed 3 or 4 hours befor Judgm^t past ag^t him att the said Court, and that the originall proces ag^t her husband was by a wrong name, and therfore requested that the execuon be stopt, and that the petionr have a fair tryall.

After debate upon this matter, and production of the Copie of the records of the Court of New castle, und^r the Clark's hand, wherin the petitioner's husband was written Thomas Guin, (but his true sir-name was Wynne,) Resolved, that the whole tryall be referred to the next provinciall Court to be held for Sussex Countie, & that in the meantime execuon be suspended.

[9th Decemb^r, 1693.

Att a Councill Held att philadelphia the 9th of December, 1693.

PRESENT:

WILLIAM MARKHAM, Esq^r., Leivt. Governo^r.

Andrew Robeson, }
Robert Turner, } Esq^r.

Pat. Robinson, Secrie.

John Chaffin, M^r of the Barque pearl, now ryding att anchor before philadelphia, having preferred a petion to the Leiv^t Governo^r & Councill, setting forth that ther is a sute depending between Jasper yeates, pltf. & the petition^r, in the Court of Comon pleas, & that he had waited on the sd Court for 3 dayes, but could not come to tryall, and that hee is informed by the Justices that by reason of the Limitaon of their Comission, they cannot anie longer hold the sd Court, and the petition^r being on a dispatch of his vessell before the frost shut up the river, Therefore Requested the Leivt. Governo^r & Councill to take the emergencie of this Case into consideration, & to appoint such speedie remedy as the occasion requires; And the Justices having sitt 3 dayes upon actions comenced befor this, & they thinking it unsafe to act contrarie to his Excellie's Comission, which Limitts their sitting to 3 dayes & no longer; And the Leivt. Governo^r having read to the Councill the 3^d article of his instructions from his Excellie, which prohibited him to act with a Quorum less than 5 members, except in Case of necessitie, the Leivt. Governo^r and Councill Concluded this to be such; And upon examinaon of the Justices' Comission, which was dated the first day of May Last, It was found to Limit them to sitt 3 dayes & no longer, And it being compared with the Law published the 3^d of June, 1693, which ordered the Countie Courts to be held and kept Quarterlie, and oftener if occasion be,

It was Resolved, That the Lievt. Governo^r should make such an Indorsement upon the back of his Excellies Comission to the Justices, that it might therby answer the end of the Law, which was done in these words:

pennsylvania, y^e 9th of December, 1693. WM. MARKHAM, Esq^r. Leivt. Governo^r of the province of pennsylvania, &c., by authoritie derived to me from his Excellie, with the advice of the Councill, doe (notwithstanding the Limitaon of the within Comission to 3 dayes and no Longer) hereby authorize you, the Justices within named, to keep yo^r Courts quarterlie, and oftener if occasion be, according to the Late Law.

WM. MARKHAM, Seal.

[19th Decembe^r, 1693.

Att a Councill Held att philadelphia the 19th of December, 1693.

PRESENT:

WM. MARKHAM, Esq^r. Lievt. Governo^r.

Andrew Robeson, }
Robert Turner, } Esq^r.
Wm. Salway, }

Lacey Cock, Esq^r.
Pat. Robinson, Secry.

His Excellies Lett^r directed to the Lievt. Governo^r & Councill, dated 7th decemb^r instant, was deliberatlie read; After which the Lievt. Governo^r said, that it was absolutlie necessarie that the governm^t should be Supported, & that the method proposed by his Excellie in the said Letter, was the most easie way to accomplish it; And therfore, earnestlie Requested the members of Councill, according to the reuxe influence that each of them had on the people of the severall ranks and condions in the severall Counties, that they wold use their outmost endeavours before & att the elections, to persuade and advise the people to choose such representatives as may answer ther majesties & his Excellies Just expectations; for said hee, Wee have all some influence, some more some Less; And you that can give reasons to the people, & can resolve their doubts, It is your dutie to do it; and you must all use the best methods & your outmost interest for that end: for my part I shall not be wanting, as I am able. The Councill ansred that they wold doe their endeavour.

As to the Collusion in the assessment in his Excellies Letter mentioned, and his Excellies desire to have it rectified, & to know the state and amount of that affair, It was ansred by the Lievt. Governo^r, That hee and the Councill having formerlie heard of the assessors of Chester Countie, Their underrating the people, did write to them, and therafter they somewhat rectified it; And the Secrie told ym that by ord^r of the Lievt. Governo^r and Councill, dated the 19th 7br, 1693, hee wrote to the representatives & assessors of all the six Counties, to send in their rates to the Lievt. Governo^r, but had received none but from kent, philadelphia & Bucks; and Robert Turner, esq^r. said that hee had wrote to Bucks and Chester about the same.

Ordered, That the state and amount of the rate of each Countie be sent to his Excellencie, and the Lievt. Governo^r said that he wold write to ym that had not sent in their rates, That they should send them in Speedilie, att their outmost perrill: Which Letters were that day writt by the Secrie, signed by the Lievt. Governo^r, and sent by the Secrie to each of the deficient Counties.

Upon the petion of the Inhabitants of Radnor, requesting a road to be Laid outt from the upper part of the sd. townshipp of Radnor unto marion ford; And of Andrew Robeson & Lawrence Cock, Esq^r., Requesting a confirmaon of the road that now is from marionford to philadelphia, and that it come into the third street in the sd towne,

Ordered, That a warrant from the Leiv^t Governor be directed to the Surveyo^r generall, to Lay outt the roads desired, and that the same may be Confirmed accordinglie, and that a return therof be made into the Secrie's office, in order to a finall Confirmaon of the same.

[Information ag^t Ann Le Tort.

Thomas Jenner and polycarpus Rose exhibited to the Lievt. Governor & Councill the informaon following, viz: The informaon of Thomas Jenner & polycarpus Rose, concerning some passages & discourses that hath been betwixt the french people here & some of the pennsylvania Indians:

1^o. The Informant, polycarpus Rose, saith, That about 5 weeks

since, this informant having some discourse with a certain Indian king called Hicquoqueen, The said Indian resented the unkindness of the English to the Indians here; and further said, that they were not Like to hold the Land much longer; for that they were not satisfied for it; and that the french told him that it wold not be long ere they wold buy their Land of them again, for the English had but borrowed it, and that they could not be so kind to them becaus of the English; and this was particularlie told him by peter Bassillion and madam Le Tort.

2°. The informants, Thomas Jenner and polycarpus Rose, say that about a month since they were in Compa. with Benj^a Clift, att Zechariah Whitpain's plantaon, wher the said Clift said, that one Thomas Graves & hee being together, The Indians up Delaware told him that the French wold come in the spring of the year and burn the English, and take the Countrie for ymselves.

3°. peter Yokum also told ym, that since the Letters that the Indian woman discovered about a year agoe, ther hath been strange Indians come to Letort's plantaon, & sent away again, and gave no acco^t to the Indian king from whence they came or whether they went; peter Yokum saith that severall Indians told him so, viz: Shakhuppo, Kyentarrahs wife, Olemeon's wife.

4°. They further say, That upon the 9th of Decemb^r, 1693, They ryding by the house of madam Le Tort, polycarpus asked her how shee did. Shee anered, where have you been. Hee said, att peter Yokum's. Since said, ther was no path for sweads or English rogues there, for no English Rogue nor swead should come on her ground; and run in a furie with a horse whipp & whipp^t polycarpus, and called for Lewis to help her, a french Canada prisoner taken by o^r Indians, and these informants and mounce Yokum wer forced to ryde away, for fear they should have been shott, but saw no gunn.

5°. polycarpus Rose saith, That about a year since ther was a packett of Letters sent from philadelphia from peter Basilion, Capt. Dubrois & madam Letort, to the strange Indians called Shallnarconers. Sealed up in a blue Linnen cloath, & was Left att James Standfield's plantaon by Richard Basilion's Servant, who then run away, and the Letters being there 3 dayes, James, the Frenchman, Came & caryed ym away, who then belonged to the persons abovesaid.

Signed,

THOMAS JENNER,

POLYCARPUS, P. C. ROSE, his mark.

Dated the 12th decemb^r, 1692.

polycarpus Rose having sworn to the first article; Thomas Jenner having attested, & polycarpus Rose sworn to the 2^d article; polycarpus Rose & peter Yokum having sworn, & Thomas Jenner having attested to the 3^d article; polycarpus Rose having sworn, & Thomas Jenner having attested to the 4th article; And polycarpus Rose having sworn to the Last article of the sd Informaon,

Itt was ordered, that the sd Ann Le Tort appear att this board the 29th instant, & that Cap^t Dubrois and peter Bisalion, when they return from the Lower Counties, be sent for by a warr^t to appear as above,

to ansr to the said Complaint; And y^t the Indian king, Hicquoqueen, be sent for, Shakhuppo, kyantaro's wife, Olemeon's wife, mounce Yokum, & Lewis, the French Canada prison^r, also Benjⁿ Clift & Thomas graves; and y^t Capt. Cock take care to give ym notice hereof.

[29th Decemb^r, 1693.

The Leivt. Governo^r & Lacy Cock onlie present, Ann Le Tort appeared, in obedience to the ord^r of Councill, & was readie to ansr to y^e sd informaon, but none of the informers nor witnesses appearing, shee humbly desired that shee might not be again sent for till the extremetie of the weather was over, shee having no person att home, remote in the woods, to be att her house in her absence.

PROVINCE OF PENNSILVANIA, AND COUNTRY OF NEW-CASTLE.

Minutes of Councill in the Assembly, Anno R. Ret. Ræ Willielmi et Marie Angliæ, &c., Quinto.

[15th May, 1693.

Att a Councill Held at philadelphia On a Moonday the 15th of May, 1693.

PRESENT:

His. Excell. BENJAMIN FLETCHER, &c.

WILLIAM MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson,
Robert Turner,
Pat. Robinson, } Esq^{rs}.

Lawrence Cock, }
Wm. Salway, } Esq^{rs}.
Wm. Clark, }

The persons Returned for Representatives being in number Twenty, viz: foure for the County of philadelphia, three for the County of Bucks, three for the County of Chester, foure for the Countie of New castle, three for the County of kent, & three for the Countie of Sussex, came to wait upon his Excell. in Councill, and wer admitted.

Six of them took the oaths appointed by act of parliament to be taken instead of the oaths of allegiance & Supremacie, & subscribed the test; the other fourteen did Subscribe the declaraon of fidelitie, profession of the Christian faith, and Test.

After which His Excell. did speak to them as followeth, viz:

Gentlemen: Before you goe to the Choice of your Speaker, I think it Convenient to Let you see by what authoritie you are Convened: my reason is, becaus I observed some commissioned by your proprietor did withdraw themselves att the publishing of their Maties' Comission; others have refused to act under that power, and manie of you wer absent att that time.

Then the Clark, by his Excell. order, did read the Commissions, Upon which his Excell. Continued to say:

Gentlemen: You see by the Clauses of these two patents relating to Assemblies, that you are all obliged, befor you can be qualified to sitt, to take these oaths prescribed by Law. Yet I have some Latitude in my Instructions, which enables me to admitt such to act in the government as for Conscience sake refuse an oath, and are yet willing to make their protestation and subscribe the Test, &c.

It has ever been my endeavour & desire to act soe as that all people under my care might be in Love with their maties' governm' & Laws, and am therfor willing to allow such to sitt in this house of representatives, as are chosen by the freeholders of the rexive Counties, who not being free to take an oath, are willing to perform the other obligations: provided this be entred in the Journalls of your house as an act of grace from their majesties, and not taken as a president.

Gentlemen: I must add, If there be anie amongst you who doe not take an oath, whom you cannot own as members of yo' Comunion, but may, under that pretence, shelter themselves from what the Law requires, pray Let me know them, otherwise you will bring a blemish upon yo'selves by Countenancing Hypocrites. And in this matter I expect you will be plain, and answer for such men, if anie there be, who for private ends put on a false dress.

And I desire you to provide a Clark to keep the Journalls of your votes and other proceedings; That you cause him particularlie to enter in his book, That your being admitted to sitt upon Subscriptions without an oath, is an act of grace, and not to be insisted on as a right, and for the future taken in president.

Your Clarke must also take care to give me a Copie of everie daye's votes and Minutes the night following

Then bid them withdraw to some Convenient place & choose their Speaker, whom he wold be readie to see morrow morning.

Adjourned till Nine a Clock morrow morning.

PROVINCIAL COUNCIL.

[16th May, 1693.

Att a Councill Held att philadelphia on Tuesday the 16th of May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r, Livet. Governo^r.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Wm. Salway, } Esq^r.

Lawrence Cock,
John Cann,
Wm. Clarke, } Esq^r.

The Governo^r & Councill being mett, Joseph Growdon, accompanied by the whole number of Representatives for the province of pennsylvania, &c. presented himself to his Excell., Acquainting his Excell. that the Representatives here present had made Choice of him for their Speaker; That it was a great Charge & trust, & more then he Could Conceive himself capable of; Therfor moved that his Exceil. wold Command the representatives to return to their house & choose some fitter person.

His Excell. made ans^r: Sir, The Latter part of yo^r speech proceeds from yo^r modestie. You are their Speaker, and gentl. I doe approve of yo^r Choice. I have had a good character of you, Sir, and if I had been to Choose a Speaker from amongst y^e representatives returned for this occasion, I had pitched upon you as best qualified.

Then his Excell. addressing to the speaker & Representatives, Said: I have sundrie things to offerr to yo^r Consideraon, But shall only insist upon two att present.

1^o. You know that governm^t, if it be not supported, becomes precarious, void, & ends in nothing.

2^o. Gentl., Here is a Lett^r directed to me as Go^r of this province, from her Matie, qrof you shall have a Copie. The province of New york has been a long time burdened with a troublesome warr, (if it may be called a warr, for Indeed the French and Indians in Canada are a pittiefull enemie, if they could be brought to fight fairlie, but the wood, swamps and bushes gives them the opportunity of vexing us.) You will see by this Letter their maties' Comands, and what is expected from you towards the assistance of that province.

Gentl., If ther be anie amongst you that Scruple the giving of money to support warr, ther are a great manie other charges in that governm^t, for the support yrof, as officers Sallaries & other Charges, that amount to a Considerable sum: Your money shall be converted to these uses, & shall not be dipt in blood. The monie raised there for the support of the governm^t shall be imployed for the defence of the frontiers which doe give you protection.

I wold have you Consider the walls about yo^r gardens & orchards; yo^r doors & Locks of yo^r houses; Mastiff doggs & such other things as you make use of to defend yo^r goods & propertie ag^t theeves & robbers are the same Courses that their maties take for their forts,

garrisons & Souldiers, &c. to secure their kingdoms & provinces, & you as well as the rest of their subjects. I speake the more to this matter becaus I have their maties' Command, which Lyes now here before you.

And gentl., If you will propose anie thing for yo'selves, whether the Confirmation of former Laws or other new Laws, for the advantage and benefit of the people whom you represent, provided they doe not derogate from, or doe not appear in opposition to the Laws of England, you shall find my readie Concurrence.

I hope you will Consider to satisfie their Maties' just demands and expectations. Time is of great value to me. Their maties' affairs call me to the frontiers; therefore desire you speedie dispatch of what is before you. You may return into your house and Consider therof.

Mr Speaker said: I have something to offer to thee, Governo', on behalf of the representatives.

His Excell. asked: how could that be, befor you are a house, You being just now presented to me for Speaker; How could you have anie time for debates, unless you had had some private Consults before you wer a House.

Mr Speaker ansred, That what hee had to offer was an omission of what hee proposed to say formerlie, and introductory to their bussines, in odr to their dispatch.

His Excell. bid him say on.

Then Mr Speaker desired that they might have free access to his Excell. person, a favourable construction putt upon their words, & be free from arrests, with the other priviledges of an Assembly.

His Excell. made ans^r: You have all the priviledges of a house, But I must again mind you to provide a Clark to keep a Journall of yo' votes and proceedings, & I doe expect Hee shall everie night, during your sessions, Let me have a Copie of the votes of yo' house the preceding day. I wish you to Consider their maties' service, your owne safetie, & the prosperitie of the province; which on my part shall be allways vigorously endeavoured.

Mr Speaker Replyed, They had provided a Clark. Then returned his Excell. thanks, and withdrew with the Representatives to their House.

His Excell. sent to Inquire of the Speaker, if hee believed their house wold have any thing to offer to his Excell. and Councill this forenoon.

The Speaker sent in ans^r, that hee did not know, & desired by the same messenger to have a Copie of his Excell. Comission, so farr as concerneth the power of assemblies; Which his Excell. Caused to be copied out of the Originall by the Secrie, and sent unto them.

The messenger returning, told his Excell. that the Speaker told him hee believed they wold want a Copie of the whole, and that some of the representatives desired to see the originall.

His Excell. sent the same person to tell ym that they should have a Copie of the whole to-morrow morning; And if Mr Speaker wanted

to peruse the originall in the meantime, It will be granted: provided, the person his Excell. sends it by be admitted to be present att his reading yrof, and bring the same back to his Excell.

Ordered, y^t Patrick Robinson, Esq^r., doe forthwith prepare a Copie of their maties' letters patents to his Excell. Benj^a fletcher, for the perusall of the Assembly.

Adjourned till morrow morning.

[17th May, 1693.

Att an Assembly held att philadelphia On Wednesday the 17th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Livet. Go^r.

Andrew Robeson,
Rob^t Turner,
Lawrence Cock, } Esq^r.

William Clarke,
George Forman, } Esq^r.

His Excell. did acquaint the board, that ther wer two gentl. of the Council of Newyork in town, To witt: Chidley Brooke, Esq^r., and Wm. Nicholls, Esq^r.: That the Council of New york, by their Maties' Letters patents for the governmt. of this province & Countrey, have an interest in the govern^t of this province and Countrey, upon his death or absence, & of the Comand^r in Cheif Commissionated for Newyork; Therfor his Excell. is desirous that they be present in Council here, which was approved.

And his Excell. did send for them accordingly.

The Assembly sent some of their house to know if his Excell. wer at Leisure to receive them, Having something to offerr. His Excell. told ym that he waited for y^e Assembly.

The doorkeeper did acquaint his Excell. that M^r Speaker and the representatives did desire access, which was granted. M^r Speaker addressed himself to his Excell., & said:

May it please the Go^r, The house having smething to offerr to the Go^r, for the help of my memorie, have putt it in writting: may it please the Governo^r to Let me read it. Which was granted. Then the Speaker read:

TO BENJ^a FLETCHER, Esq^r., Capt. Generall and Governo^r in Cheife in and over the province of pennsilvania & Countrey of Newcastle, &c.

The humbie address of the freemen of the said province and Countrey of New Castle, &c. in Assembly mett, sheweth:

That since it Hath pleased the king & queen that the absence of the proprietarie's personall attendance in this governmt. should be supplied by thee, or by thy Livet., Wee, the Representatives of the freemen of this province and territories, with due respect to the power of

thy Comission, and heartie acknowledgement of thy good will, care & tenderness to us, doe readily acquiesce with the king's pleasure therein, Earnestlie beseeching that our procedure in Legislation may be according to the usuall method and Laws of this government, founded upon the Late king's Letters patents, Which we humble Conceive to be yet in force; And therefore, wee desire the same may confirmed unto us as our rights and Liberties. And wee, with all faithfulness and sinceritie, doe give what assurance wee are capable of, in the present Circumstances wee are under, to answer the Queen's Lett^r and thy request, according to our ability.

His Excell. made answer, That this address Hath been drawn up with much deliberation, and by the most Learned in their Countrey, and it cannot be expected that I can give you an Immediate ans^r. I shall give you my ans^r in writting, But att present I must tell you, Gen^l., You are verie much mistaken in alledging yo^r Laws to be in force, and at the same time, in yo^r present station, to desire a Confirmation of ym. If in force, what need's my Confirmation? Consider by what power you are convened here: You are either a Law^l Assembly & Legally calld, or an Unlaw^l meeting att the best, & we are doing nothing. If the Laws made by virtue of M^r penn's charter be of force to you, and can be brought in Competition with the great Seal of England that comanded me hither, I have no bussines here. There is therfor nothing Left for you but to own the king's authoritie, or disown it. There cannot be two establishments of government, in opposition to one another. I wold have you satisfied in that point. I have an abstract of yo^r Laws by me, & manie of ym are repugnant to the Laws of England. By yo^r Constitution formerly, the people wer to Choose the provincially Councill: The king hath allwayes the power of Choosing his owne privie Councill, which is reasonable, for he is the best judge who are Capable to serve him. By your former Constitution the people wer to Choose representatives, who wer to have a negative voice in passing of laws, which is allwayes Lodged in the king, and for the present time granted unto me by their maties' Lres. patents. By your former Constitution the people did present to the Go^r a double number of Sheriffs, Justices of the peace, & I have the power of Commissionating & appointing officers, & manie other things in yo^r former constitutions and Laws, repugnant to the Laws of England, too tedious to enumerate; which are altogether Contradicted by their maties' Letters patents. I doe understand that it is the opinion of the Learned in the Law, That the Revenue of the Crown; The making of Laws; The power of Life & death; arming of the subject, & waging of warr; which wer granted to M^r penn, are the Reglia of the Crown & cannot be demised; as in case of an entailment, they are entailed upon the successor: you have heard of an entailed estate: the father is only tenant for life, & cannot demise it from the son; if he grant it for Longer than Life, it is void, & the son shall recover his estate. If there be anie Lawyers among you, they can informe you king Charles' grant of these things might be good to you during his life, becaus he might maintain his own act; But since his death they are become utterlie void. I wold have you advised of

this point. These Laws and that model of govern^t is dissolved & att an end: you must not halt between two opinions. The king's power and M^t penn's must not come in the scales together.

But gentl., As I said before, when you did present yo^r Speaker, If you doe propose anie Laws for yo^r owne Conveniencie and safetie, I shall readily Concurr with them, If they be not repugnant to the Laws of England.

Mr. Speaker Replyed. That he was a servant to the representatives, & and had not yet received their minds; but this one thing he durst venture to say for ym, That they had a good affection for the king & Queen, & wer sensible of the great duty that Lay upon ym, & as they wold not be wanting yrin, soe they wer willing to know that their former charter is in a Lawfull way att an end: king Charles the 2^d granted the power by which the Charter was founded, which grant being und^r the great seal, perhappes they may think that in Justice it ought to be maintained, being the king's grant.

His Excell. in answer said. I hope your affections to their maties are good. My Custome is to speak the thoughts of my breast, & wold believe so of everie man untill I find the contrary. I wold have you have a tender regard to yo^r dutie. The Question is short, either you must stand by their maties Comission for the govern^t, or Mr. penn's Charter; for you see they are in opposition to one another. Consider what I have alreadie said, and be resolved in this point. As for the propertie and the estate of the propriator, you shall find me allwayes readie to advance his interest during my administraction. Gentl., I never sought to come here. I have enough to doe in the nighbouring province, wher I have a frontier garrison & an enemy to Look after. I am come by their maties comands, and their government I will maintain, pursuant to their Letters patents. Therefore, pray Consider and dispatch an ansr. I am in haist to be gone upon their Majesties affairs.

Whereupon they withdrew. Two of the Representatives did signifie to his Excell. that their house wold have nothing to offerr this forenoon; That they wer desired by their house to ask a Copie of the Governor's Comission & his answer to their address, in writting.

The answer given in writting, by advice of the Councill, is as followeth: philadelphia, the 17th of May, 1693. Gentl., I have, with the Councill, considred yo^r address, and am sorry to find yor desires grounded upon so great mistakes. The absence of the propriator is the Least cause mentned in their Maties Lres. patents for their Maties asserting their undoubted right of governing of their subjects in this province; there are reasons of greater moment, as the neglects and miscarriages in the late administration: The want of Necessarie defence ag^t the enemy & danger of being Lost from the Crown.

The Constituon of their Maties govern^t & that of M^t penn's are in a direct opposition the one to the other. If you be tenacious in sticking for this, it's a plain demonstration (use what words you please) that indeed you declaine the other. I shall readily concurr with you

in doing anie thing may conduce to yo' safetie, prosperitie and satisfaction: provided yo' requests are Consistent with the Laws of England, their Maties Lres patents, and the trust and Confidence their Majesties Have reposed in me. Time is verie precious to me. I hope you will desist from all unnecessarie debates, and fall in earnest upon those matters I have already mentioned, & still have to recommend to you, and for which you are principallie Convened together. Signed by his Excell. Order.

DAVID JAMISON, Ck. Concily.

His Excell. did deliver this ans^r in writting, with the Copie of his Comission, to M^r Jamison, and ordered him to deliver it to the speaker, and to tell the Speaker from his Excell., that hee had sent them an attested Copie of his Comission for their satisfaction: That his Excell. had made many steps of Condescention to them which he had not done in another govern^t, & was not presidentiall, that they might have no hindrance nor obstruction in their maties' service. The Question is short, whether they wold owne their Maties' Lres patents, or M^r penn's Charter. That his Comission was recorded with the Secretarie, where they may have recourse to it, and that hee expected they wold return that Copie when they had perused it. Which was accordingly performed by M^r Jamison, and the Councill adjourned till foure a Clock afternoon.

POST MERID.

Att a Councill Held att philadelphia the 17th of May, 1693, 4 a Clock afternoon.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r. Livet. Go^r.

Andrew Robeson,
Rob^t Turner,
Lawrence Cock, } Esq^r.
Wm. Salway, }

John Cann,
Wm. Clarke, } Esq^r.
Geo. Forman, }

His Excell. ordered M^r Jamison to wait upon the house of representatives & Signifie the Gor. and Council'l wer mett, and no other thing befor them than to receive what they had to offerr, & desires to know if anie thing might be expected from ym this evening; Which was done.

M^r Speaker's ansr. was, that they had agreed upon something, to his Excell. shortlie to be offered.

An Houre after his Excell. ordered M^r Jamison to goe again to the house of representatives, & to tell M^r Speaker that his Excell. had tarryed a Long while, & desires to know if hee might expect anie thing from them this evening; Which was done.

M^r Speaker's answer was: something hath happened of difficultie befor them, which occasioned some debate & hath taken up some time,

but now is over; wee are come to a conclusion: If the Governor will tarry one half houre, He beleived they wold be readie to wait upon the Governo^r: perhaps within a Quarter of an houre.

The doorkeeper did inform his Excell. y^t M^r Speaker and the representatives did desire access; which was granted. M^r Speaker said:

May it please the Governo^r, there happened some difficultie which occasioned some debate amongst us; Wee are now come to a Conclusion: Wee ask that the Go^r will excuse us for making soe Long stay. Wee hope that this matter being over, wee shall proceed to give satisfaction to the king & Queen's demands & thy desire. Wee have agreed to two votes, which are in writting, for the help of my memorie. I cannot much Commend our Clarke; please, Go^r, to excuse that it is not writt fair over.

His Excell. M^r Speaker, if you Leave it with me, I will cause writt it fair over.

M^r Speaker. May it please the Governor to Let me first read.

His Excell. You may.

M^r Speaker read: philad. y^e 17th of y^e 3^d Mo., 1693. It was putt to the Question, whether it be the opinion of this house, that wee may satisfie act in Legislaon in Conjunction with the present Go^r, according to the king's Letters patents. Caried in the affirmative, Nemine Contradicente.

It was also putt to the Question, Whether the following Clause be added to the Last vote, viz: provided, that the aforesaid Resolve may not be Construed, deemed or taken to our prejudice, but that wee may have the benefit of being governed by the Laws & constitutions of this govern^t, so farr as is consistent to the tenor of the king's Lres patents to our present Go^r Fletcher, and that our proceedings therin is in Conformitie to the king's pleasure, and not the Least apprehension of anie forfeiture of our rights.

Resolved in the affirmative, Nemine Contradicente.

His Excell. M^r Speaker & you gentl., To yo^r first vote you have been a Long time in answering a plain Question, but have come to a Conclusion att Last. I am glad that you have agreed to submit to their maties govern^t with a nemine Contradicente.

To the second part I must take some time to consider before I can give you an ans^r; please Sir, to Leave the paper with me. Gentl. you shall find me allwayes stedfast to what I promise you; That is, when you have Considered to draw up what Laws may be for your Conveniencie and safetie, provided they be not repugnant to the Laws of England and their maties Lres. patents, I shall be readie to give them that sanction which their Maties have Impowred me to give. But in yo^r former Law book I find sundrie Laws that are altogether repugnant to the Laws of England, and seem to supersede them, viz: the 9th Law, Sodomy & Bestiality; 10th Rape; 16th burning of houses; 96th stealing of hoggs & other Cattell; 109th estates of persons deceased; 117th manslaughter; 116 marriages; 171 M^r penn's person. I am informed there is a person amongst you brought up in the Law in England, who can inform you. Therefore, you must not expect that I will pass those Laws into acts.

Mr Speaker. May it please the Governo^r to give us a list of these Laws the Governor is pleased to think repugnant to the Law of England.

His Excell: you may have it. Gentl. Besids what I have already offered unto you, There is an Act ag^t pyrats and privateers, with Limitaon of time for their coming into the province, & entring into bonds for their future good behav^our, which was drawn in England & sent with me to be enacted in Newyork: pirates and privateers may become good men att Last, and the design of that Law is to draw them from their evil courses, that they may become good subjects & inhabit amongst us, to help our governm^t: It is enacted in Newyork: there needs no other alteraon than the alteraon of time for their coming in, & the name of the province; you may Lengthen the time as you find most for yo^r good. I hope it will meet with no opposition.

There is also another thing which I recommend to you, which no person I believe will object ag^t, & that is the settling of a post office, which is intended to continue by Land from Virginia to Boston in New-england; It will be a great Conveniencie to all trading men, & a satisfaction to everie one. It was recommended to me by the Queen's Letter to be promoted in Newyork, and is settled there, and in New England, by act of Assembly. Here is a Copie of the Queen's Letter & manner of its settlement, for yo^r perusal.

Mr Speaker. May it please the Gor. to Let us have the perusal of those things that relate to our priviledges & Liberties, that we may have them under our consideration along with these things.

His Excell: you shall have ym, & I will readilie concurr to anie thing that may not be repugnant to the Laws of England & the trust comitted to me by their maties Lres. patents.

Mr Speaker. May it please the Governo^r, Wee hope ther will be a good agreement, and we will endeavour to give satisfaction to the king and queen's demands, and the Governor's desire. Wee are readie to show our good affection.

His Excell. I am glad to hear that you are soe well inclined, and that you have gott over that rubb that was in the way; you shall all-ways find me according to my word, and I wold have everie man soe. Therefore, putt away all jealousies, that wee may go on cheerfullie and Unanimouslie in those affairs for which you are Cheiflie Concerned, without loss of time.

John White. May it please the Go^r to give me leave to speak one word: There is one thing more which may have escaped the Speaker's memorie, and that is, To ask thee to grant that when there doth arise anie doubt or question amongst us, The Go^r will grant us that some of the Councillors may be appointed to Conferr upon such doubts and questions as may arise.

His Excell. Mr White, Its not a man of words, noise and contention, that I affect, but a man of sense, gravitie and discretion, that knows how to propose things in due time and manner: When there is occasion to resolve anie doubt or question, or to explain anie misunderstanding, When I shall be made acquainted yrof by the Speaker,

I shall be allwayes readie to appoint a Comittee of the Councill for that purpose.

M^r Speaker. May it please the Go^d to excuse this man, for it was discoursed of some time this day in our house, though if I remember right, it was not given me in charge with the other things when I came outt.

His Excell. It is well, M^r Speaker. Gentl., I wold have you to make what dispatch you can of what I have given you in charge. I hope ther will be a good understanding betwixt us. I wish you well.

The Speaker & representatives withdrew.

Adjourned till morrow morning, eight a Clock.

[18th May, 1693.

Att a Councill held att philadelphia on Thursday the 18th of May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Lt. Governo^r.

Andrew Robeson,	} Esq ^r .	William Salway,	} Esq ^r .
Rob ^t Turner,		William Clarke,	
Lawrence Cock,		Geo. fforman,	

His Excell. sent M^r Jamison to the house of representatives with the Copie of their vote, which they delivered to his Excell. Last night, and desired to know if they had anie thing to offerr this forenoone.

Two of the representatives from their House did signifie to his Excell. that they did beleive there will be nothing to offerr this forenoone, and desire a List of the acts which the Go^d did mention Last night to be repugnant to the Law of England.

His Excell. did say: I am no Clark; you have the Laws amongst you; What I have by me is only some minutes which I have extracted outt of yo^r Law book, for the help of my memorie; But I will remove all excuse for delay: You shall have it; pray let ym dispatch.

The List and number of Laws wer Immediately given them.

Adjourned till 4 a Clock afternoon.

[22^d May, 1693.

Att a Councill Held att philadelphia on Moonday the 22^d of May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,	} Esq ^r .	Lawrence Cock,	} Esq ^r .
Rob ^t Turner,		Wm. Clarke,	
Pat. Robinson,			

His Excell. did signifie that the delays of the Assemblie did wearie him, their Maties' affairs calling for his attendance else where, and desired their advice whether hee should send to them or not. It is the opinion of the Councill, that his Excell., if he think convenient, may send to them to know if they will Have anie thing to offer this evening & to desire them to dispatch; Which was ordered accordinglie.

Adjourned till eight a Clock morrow morning.

[23^d May, 1693.

Att a Councill Held att philadelphia on Tuesday the 23^d of May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Lt. Governo^r.

Andrew Robeson,
Robert Turner,
Pat. Robinson, } Esq^r.

Lawrence Cock,
Wm. Clarke,
Geo. Forman. } Esq^r.

His Excell. did order M^r Jamison to wait upon the House representatives, and tell M^r Speaker that it's now the 9th day of their sessions & Little or nothing done, (other assemblies have dispatched more business in Less time,) To know if they have prepared any bills, and once more to desire their dispatch.

The Speaker made ans^r: That they wer dispatching. That the Governor must not take it amiss that they are so tedious, being putt out of their old methods. Formerlie the Councill did prepare the Bills & send ym to the representatives for their assent, and now it is putt upon ym to prepare ym. That they are now agreed of something concerning their Laws, which they believe they shall offerr to the Go^r this morning.

Resolved, It is convenient to demand the Rolls of the former Laws from the late M^r or keeper of the rolls of this province by two of the members of Councill.

Ordered, That Andrew Robeson and Wm. Clark, Esq^r., doe demand of the late M^r or keeper of the Rolls of this province, That forthwith hee either bring or send the rolls of the former Laws of this province to the Councill board.

His Excell. did send M^r Jamison to the representatives, to Inquire if they had anie thing to offerr this forenoone, or when they would.

The Speaker's ans^r was, That they wer running over the body of Laws, & making alteraons as they could agree, & believed nothing wold be offered this forenoone.

Adjourned till 4 a clock afternoon.

POST MERID.

The 23^d May, 1693, 4 a clock afternoone.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson,	} Esq ^r .	Wm. Salway,	} Esq ^r .
Robert Turner,		Wm. Clarke,	
Pat. Robinson,		Geo. forman.	
Lawrence Cock,			

His Excell. in Councill, Having tarryed two hours, did Order M^r Jamison to wait upon the house of representatives to know if they had any thing to offer wthin this halfe houre.

M^r Speaker ansred, that they only tarryed for their Clark, who wold verie soon have done with his writting.

Adjourned to 8 a Clock morrow morning.

[24th May, 1693.

Att a Councill Held att philadelphia on Wednesday the 24th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Wm. MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson,	} Esq ^r .	William Salway,	} Esq ^r .
Robert Turner,		William Clarke,	
Pat. Robinson,		Geo. Forman.	
Law. Cocke,			

Andrew Robeson & Wm. Clark, Esq^r. did return, That in pursuance of the order of Councill yesterday, they did demand of M^r Loyd, Late M^r of the Rolls, either to bring or send the rolls of the former laws of the province to the Governo^r and Councill, And that his ans^r was: That hee never did enroll anie Laws; there was not, nor hath hee ever had anie warrant for soe doing.

The door keeper told his Excell. that a messenger from the house of representatives comes to know if the Go^d be readie to receive ym, who was ansred that his Excell. hath been readie these two hours.

M^r Speaker and the House of representatives being present, M^r Speaker said: May it please the Go^d to excuse our delayes, for wee are putt upon new methods, which wee are not yet acquainted with, & are not negligent nor disrespectiull to the Governo^r: Wee have had about 200 Laws to review: Wee have now brought thee a Bill, which wee desire the Governo^r will be pleased to pass into an act.

His Excell. What is the title of it?

M^r Speaker Read a direction to the Governo^r, with his titles.

His Excell. What is the substance of it?

Mr Speaker. It is our desire that the Governor wold Confirm our former Laws to us. If the Governor please to give me Leave to read it. Granted.

To Benj^a Fletcher, Cap^t. Generall and Governor in Chief in and over the province of pennsilvania and Countrey of Newcastle, &c.

Wee, the freemen of the sd province & Countrey in generall assembly mett, Humblie Shew :

That wheras, the Late king Charles the 2^d, in the 33^d year of his reign, by his letters patents under the great Seal of England, did for the consideraon therein mentned, grant unto Wm. Penn & his assigns, this Colonie or tract of Land, thereby erecting the same into a province, calling it pennsilvania, and Constituting the sd Wm. penn absolute proprietarie of the sd province; (saving amongst other things the sovereignty therof;) Therby also granting unto the sd Wm. penn, his deputies or Livets, by virtue of the said Royall charter, full, free, & absolute power, by and with the assent of the freemen of the sd province, to make, enact and publish any Laws whatsoever, for anie end, appertaining either to the publick state, peace or Safetie of the sd. Countrey, or unto the private utilitie of particular persons, according to their best discretion; Which Laws, so as aforesaid made and published, the sd Late king did by the same enjoyn, require & command, should be most absolute and available in Law, and that all the Liege people and subjects of the said Late king, his Heirs & Successors, should observe and keep the same inviolable in these parts; But that the Laws for regulating & governing propertie within this province, and Likewise as to felonies, might be & continue the same as they should be for the time being, by the generall Course of the Law of England, Untill the said Laws should be altered by the sd. Wm. penn, and by the freemen of the said province, their delegates or deputies, or the greater part of them: And to the end the sd Wm. penn or the inhabitants of this province, might not att anie time thereafter, by misconstruction or colour of the powers aforesaid, or by pretence of the said Laws thereafter to be made, should thorou inadvertencie or design, depart from that faith or allegiance which by the Laws of England they and the king's Subjects in his dominions allwayes owe to him, his heirs & successors, Hee, the said Late king, did by his sd Lres patents, declare it to be his will & pleasure, that a duplicate of all the Laws soe as aforesaid made & published, should, within five years after the making therof, be transmitted and delivered to the king's privie Council for the time being; and if anie of the sd Laws within the space of six Mo's. after, (by the said king, his heirs or Successors, or his or their privie Councill,) inconsistent with the Sovereignty or Laull prerogative of the sd king, his Heirs & Successors, or contrarie to the faith and allegiance due to the legall government of England from the said Wm. penn, or the planters and Inhabitants of the said province, and that therupon any of the sd Laws wer adjudged and declared to be void by the said king, his heirs & successors, under his or their privie seal, That then, and from thenceforth, such Laws concerning which the sd Judgment and declaracon wer made, should become void, otherwise the Law so transmitted should remain and

stand in full force, according to the true intent & meaning therof; By virtue of which Letters patent, & pursuant to the powers, provisoes and restrictions therein specified, divers reasonable and wholesome Laws wer made, transmitted & presented to the said king and privie Council: And wheras, the king and Queen that now are over England, &c. by their Lres patents, under their great Seal, dated the 21st of Octobr, in the 4th year of their reign, Having for the reasons therein mentioned, taken the governmt of this province and Countrie into their owne hands, & under their Immediate care & protection, did think fitt to constitute and appoint thee, the sd Benjamin Fletcher, to be their Cap^t. Generall & Governo^r in Cheife in and over the same, Thereby Requiring thee among other things, to doe & execute all things in due manner that shall belong to thy comand & the trust reposed in thee by the sd king & Queen, according to such reasonable Laws & statutes as then wer in force, or thereafter should be made & agreed upon by thee, with the advice and Consent of the Councill & Assemblie of this Countrie.

Now, forasmuch as the Laws of this govern^t soe made & transmitted as aforesaid, Have not been hitherto adjudged or declared, (either by the Late king & Councill, or by his Successors, the sd king & Queen, & their Council, under his or their privie Seal,) to be void, soe that such of the sd Laws as wer not discontinued or repealed by the Legislative authoritie of this govern^t are still in force. And seeing it hath pleased the king & Queen so tenderlie to regard the happie govern^t and comfort, as well as protection of this province & Countrie, as to Conserve these our Laws and Constitutions, so fittlie accommodated to our circumstances, with respect to tender Consciencs, as well as Commerce and Cultivation, Wee can doe no Less than with gratitude & sinceritie acknowledge their Royall bountie an i peculiar favour therein, Earnestlie desiring that thou wold be pleased, according to the Tenor and most favourable direction of thy commission, to govern us & Cause the administraon of Justice within this govern^t to be agreeable with these following Laws, which are now in force, as aforesaid, Viz:

- The first Chapter of Laws, concerning Libertie of Conscience.
- The 2d, concerning the qualificaons of members of Assemblie.
- The 3d & 4th, agt. Swearing.
- The 5th & 85th, agt prophane speaking.
- The 6th, against Cursing.
- The 7th, against adultery.
- The 8th, against Incest.
- The 12th, 83d & 169th, agt drunkennes & drunkards.
- The 14th, agt drinking Healths.
- The 20, agt Rioters.
- The 22d, agt Menacing of Magistrats.
- The 24th, agt assaults.
- The 26th & 27th, agt rude sports, plays & games.
- The 30th, agt Spreaders of false news.
- The 35th, about the dayes of the weeks & Mo's.

- The 37th, about pleadings in English.
- The 39th, 123d & 153th, about Fees.
- The 42d, 74th & 167th, about arrests.
- The 45th & 46th, about wills.
- The 54th, about prisons.
- The 56th, about the manner of punishment.
- The 59th, about Taxes.
- The 66th, about Summons & Court proceedings.
- The 75th, agt Barretors.
- The 77th, about Orphans Court.
- The 80th, about 7 years quiet possession.
- The 82d, about Counterfittings hands or Sealls.
- The 90th, about taking away boats or Cannoes.
- The 11th, Against polygamy.
- The 13th, agt such as suffer drunkennes in their houses.
- The 17th, agt breaking into houses.
- The 19th, agt forcible entrie.
- The 21st, agt menacing parents.
- The 23d, agt menacing M^r Mrises.
- The 25th, agt Challenging to fight.
- The 28th, agt Sedition.
- The 31st & 121, agt scolding.
- The 31st, about trialls by 12 men.
- The 41st, about defalcation.
- The 43d, about verball contracts.
- The 50th, agt defacers of Charters.
- The 53d, about goalers.
- The 55th, about false imprisonment.
- The 58th, about free elections.
- The 64th, about Libertie & propertie.
- The 72d, agt derogators of Judgments of Courts.
- The 74th, about making debtors pay by Servitude.
- The 79th, about acknowledging deeds in Court.
- The 81st, about Countie Sealls.
- The 84th, about Vending pype staves.
- The 91st & 184, about fences.
- The 94th, About fying the woods.
- The 96th, About Hog-stealing.
- The 101st, About the house of Correction.
- The 108th, About departure out of the prov.
- The 114th, About buying land of ye natives.
- The 119th, About binding to the peace.
- The 125, About assigning bills & spetialties.
- The 131st, About shipwreck.
- The 134th, About passes.
- The 136th, About attatching & passes.
- The 138th, About trucking wt servants.
- The 146th, About sumons of Juries.
- The 164th & 165, about robbing & stealing.
- The 166th, About appraisers.

- The 177th, About Juries not appearing,
- The 178th, About removing Land marks.
- The 183d, About tanned Leather.
- The 188th, About the sale of intestates' Land by the widow or adm^r.
- The 190th, About the dyke at New castle.
- The 199th, About rangers.
- The 201st, About the registrie kept by religious societies.
- The 203d, Concerning the Surveyor generll's fees.
- The 100d, About Cart wayes.
- The 102d, About weights & measures.
- The 118th, Ag^t murder.
- The 120th, About fornication.
- The 126th, About bills of exchange.
- The 122d, About trusting mariners.
- The 134th, About selling servants out of the province.
- The 137th, About Harboursing servants.
- The 157th & 180, about runaway servants.
- The 144th, for Countrie produce to be Curr^t pay.
- The 149th, about exporting horses.
- The 156th, about monthlie Courts.
- The 169th, about Licenses for ordinaries, and ag^t disorders in ale-houses.
- The 181st, about debts payable in Country produce.
- The 187th, about Usury.
- The 189th, About taking Land in execution for debts, &c.
- The 194th, Ag^t witnesses refusing to give evidence, being sumoned.
- The 200d, About determining debts under 40s.

All which said Laws and Chapters, & everie part yrof, Wee Humble desire that thou will be pleased to cause thy officers & ministers to observe and putt in due execuon, as they tender the Honour of God, the king's Comands, the prosperitie of this government, and the rights and Liberties of the free people therof. Signed in behalf of the House.

JOS. GROWDON, Speaker.

His Excell. M^r Speaker, Leave it with me. This is a tedious bussines and all to no purpose: where are the rolls of these Laws? You have brought me no Bill; And I am informed that these Laws wer never transmitted to the king, nor confirmed by him. This is now the tenth day of your sessions, & all you bring me is a List of titles.

M^r Speaker. I doe conceive Some of our Laws wer enrolled & presented to the king, & the king and Queen doe allow that wee have reasonable Laws, in the Go^v Comission.

His Excell. You have the Queen's Letter with you for a supply towards your defence, and I doe not see that you have done anie thing in Compliance therewith. I must begone and Leave you, Since I find you have no regard to their Maties' interest. I must give their Maties an accompt of the truth as I find it.

M^r Speaker. May it please the Go^v not to be offended with me. There might be a mistake of the Clarke in witting a word in the

votes the night before Last, wher the house had under consideraon to give some Monie to the Late deputy Governo^r Lloyd & to Go^r Markham, and the remainder to the Governo^r. It was no disrespect to the Gor. that the Governo^r was Last named.

His Excell. M^r Speaker, I never took notice of anie personall abuse of that nature; you mistake me if you think me of the opinion and humor of some that have been Latelie in authoritie here, to use the power and dignitie their Maties have conferred upon me, above other men, in a personall abuse. I did not take anie notice of it, some others that see them were pleased to doe. I come here to serve their Maties by their Command; am Concerned to see the time goe away and nothing done.

M^r Speaker. May it please the Governo^r, John the Baptist came befor Jesus Christ, and yet hee said hee was not worthie to Untye the shoes of him that cometh after; wee doe not think that either the Late deputy Go^r or Livet. Go^r Markham is neer so great as the Governo^r. Thou must not therefore take it amiss of us, for wee truelie honor thee, & will take care to ans^r the king & Queen's demands. Governo^r, ther was a Remonstrance which wee did offer formerlie to the Governo^r, and the Governor did reject the same; wee have made some alteraon & doe now offerr it.

His Excell. You are mistaken that I did reject it. I did onlie advise you as yo^r friend, to withdraw it, having used some scurrilous terms, as false suggestions, &c., which might no wayes tend to yo^r interest, but hurt when seen att Whitehall; you may read that.

TO BENJ^s FLETCHER, Esq^r., Captain Generall & Governor in Cheif in and over the province of pennsilvania and Countrie of Newcastle, &c.

The Remonstrance of the freemen of the said province and Countrey, in Assembly mett, Humbly Sheweth:

That having with all dutiefull respect read and Considered the Governor's answer to our address this morning, Wee in ansr. therunto, with submission say: Wee conceive that our desires wer not grounded on mistakes in relation to the proprietor's absence; But as to the other clause mentioned by the Governo^r of their maties asserting their Undoubted right of Governing their subjects in this province, &c., Wee with all readines and Cheerfullnes own accordinglie to be the right of the king & Queen, whois prosperitie and happie reign wee heartilie desire.

And as to other reasons rendred for the superseding our proprietor's governancie; Wee apprehend they are founded upon Misinformations; for the Courts of Justice wer open in all the Counties of this governmt and Justice duely executed, from the highest crimes of Treason & murder to the determining the Lowest difference about propertie, befor the date or arrivall of the Go^r Comission. Neither doe wee apprehend that the province was in danger of being Lost from the crown, although the government was in the hands of some whois principles are not for warrs. And wee Conceive that the present

governancie hath no opposition, (with respect to the king's government here in generall,) to our proprietarie, Wm. penn's, tho' the exercise of thy authoritie att present supersedes that of our said proprietaries. Nevertheles, wee readily own thee for our Lawfull Governo', saving to our selves and those whom wee represent, our and their just rights & priviledges. Signed on behalf of the house.

JOS. GROWDON, Speaker.

17th of 3^d Mo., 1693.

His Excell. Gentl., The word (misinformation) is verie Unmanerly: their Maties are not misinformed. I could now wish you had offered no such thing: notwithstanding your positive assertion of misinformation in relacon to the govern^t of this place, I doe affirm that manie and most of yo' Laws are not Consonant to the Laws of England, nor have they been duly executed: some Criminalls have Lain years in prison for want of execution, & manie Instances can be given. I find the province in no Securitie. It is obvious to anie discerning man, that Less than 500 Souldiers may reduce it in as Little time as they can march through it. If it should please God that their Maties' forces (as I hope) have taken Martinicoc, Wee must expect that such a great prince as the king of France will endeavour a Reprisall, unles wee can beat him outt of paris. It will goe hard with him before he putt up such an affront, and he will allwayes make his first impression where there is Least defence. Nevertheless, I will doe anie thing in my power for the renovation or Confirmaon of anie Laws that are consonant to the Laws of England. I will Consider and advise with the Councill concerning this paper of titles. In the meantime, I will desire you to goe on with the other affairs: I would have you to dispatch the settling the post office; It is a Comon good to everie one, and will save us the charges of sending expresses to our neighbouring provinces: also, the act ag' privateers, which none can object against.

M^r Speaker and the Representatives did withdraw.

His Excell. with advice and consent of the Councill, ordered M^r Jamison to tell the Speaker in the House of representatives, that they have considred what they did offer this day in Councill Concerning Laws. That his Excell. was readie to pass anie Laws not repugnant to the Laws of England; That this is the tenth day of their sessions, and what is offered is onlie a List of titles. It cannot be expected that his Excell. can goe blindfold to order the exucution of Laws that doe not appear to him; Therefore, desires they will send him the rolls of these Laws they have mentioned, and whether they doe proceed upon the post-office and bill ag' privateers, or when they doe intend to proceed.

M^r Jamison returned in ans',: That the house was adjourned for an houre, and were gone to inquire of the M^r of the rolls for the Laws.

Adjourned till 5 a Clock afternoon.

POST MERID.

3 a Clock afternoon, the 24th of May, 1693.

PRESENT:

His Excellency BENJAMIN FLETCHER.

WM. MARKHAM, Esq^r., Leivt. Governo^r.

Andrew Robeson,
Rob' Turner, } Esq^r.
Pat. Robinson,

Wm. Salway,
Wm. Clarke, } Esq^r.
Geo. forman.

Ordered, that M^r Jamison doe deliver his former Last message, and doe ask M^r Speaker to return his Excell. Copie of his Comission and bring it with him.

M^r Speaker made ans^r, That they have examined and find but some rolls, That Livet. Governo^r Markham was Secretarie, and he hath a book of Laws which they have much regard to, and also, that they did believe they might find with him the original bills; they have now sent some of their House to Inquire for ym, whom they expect. It were hard to suppose that these Laws they have acted by should be void, for the officers neglect in not enrolling them.

M^r. Jamison replied: That his Excell. did not blame this House for the want of them rolls, nor mean to charge any person with the neglect att present; but that his Excell. conceives that these Laws might have by this time been got readie in new bills, to be offered for his sanction, that they may be enrolled for their use.

M^r Speaker said: He believed their Laws wer good, notwithstanding the officers neglect.

M^r Jamison said: His Excell. did order him to enquire if they did proceed upon the post office and Bill ag^t privateers, or when they intended to proceed.

M^r Speaker ansred: That the Bill for the post office was once read in their house, and hee found no objection ag^t it amongst the members.

M^r Jamison said: His Excell. does expect that M^r Speaker will send back the Copie of his Commission.

M^r Speaker answered, that the Go^r had asked one of the members of the house for it formerlie, but that att the time hee had forgot to mention it in the house: it should be returned.

M^r Jamison said: His Excell. doth expect that I bring it along with mee.

M^r Speaker: it shall be returned by those who shall bring up the Laws.

Edw^rd Bleake, Samll. Carpenter, david LLoyd and John White, from the house of Representatives, came with a book of Laws to his Excell. and Councill, and did offer it as a true Copie; That they did beleive Livet. Governor Markham and some others of the Councill could inform the Governo^r that of their certain knowledge these wer the Laws they had proceeded by in the governm^t, and desired that a

Committee may be appointed to Conferr with a Committee of the representatives concerning those Laws that wer returned in the List of titles given in this day.

His Excell. told them, Hee could take no notice of that book unless it wer attested for a true Copie by the Go^r, secretarie, or M^r of the Rolls: these scripts of paper are handed about from one to another, and everie one may alter them att pleasure.

M^r Lloyd. May it please the Go^r, I did see some of those Laws, & doe know that they wer delivered in to the privie Councill by M^r penn; & being no wayes disallowed, they must needs be of force.

His Excell. This is the first time I have heard of that, nor doe I conceive it to be true. By the king's Lres pattents, yo^r Laws are to be made, ordained & published under M^r penn's seal, & these conditions are not performed: you cannot produce me one Law soe enacted.

John White. May it please the Governo^r, wee are but poor men & of inferiour degree, and represent the people, and wee cannot have the boldness to say to the Go^r freele, becaus thou art soe farr above us, & putts an awe upon us. Wee wold willinglie be resolved of this point, that wee may be readie to doe the other part which perhapps may be ended in hours & not take up dayes; But it's hard that all our proceedings in Courts of Judicature, &c. are grounded upon no foundation, having no Law, then consequentlie void, & all for want of forme.

His Excell. That may be easilie Salved with two lines of an act, which I will readily pass.

M^r White. May it please the Governo^r to heare me speak the truth of the matter. This is our difficultie: Wee durst not begin to pass one bill to be enacted of our former Laws, Least by soe doing wee declare the rest void, & of no force nor validitie, which will be of dangerous consequence; and therfore, wee desire to be at some Certaintie in this matter: If wee can get over it, I hope wee shall quicklie come to a period, and therfore desire a Committee may be appointed to Conferr with us upon our doubts and objections.

Ordered, Wm. Markham, Esq^r., Livet. Governo^r, Andrew Robeson, patrick Robinson, Wm. Salway and Wm. Clark, Esq^r., be, and they are hereby appointed a committee of this board, to join a Committee of the house of representatives, to Concerte of the paper containing the List of titles of Laws delivered his Excell. by the Speaker this day, and to advise what may be proper to remedie the former neglects & remove the doubts that have arisen amongst the representatives upon his Excell. ans^r to the sd paper.

Ordered, that George Forman, esq^r. doe carrie a Copie of this order to the house of Representatives, and desire that the Speaker will appoint a Committee of that house to join the Committee of the Councill att the house of Coll. Markham, at 8 a Clock morrow morning accordingly.

[25th May, 1693.

Att a Meeting of the Committee of both houses att the hous of Livet. Governo^r Markham, on Thursday the 25th of May, 1693.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Go^r.

OF THE COUNCILL.

Andrew Robeson, }
Patrick Robinson, } Esq^r.

William Salway, }
William Clarke. } Esq^r.

REPRESENTATIVES.

Joseph Growdon,
John White,
Edward Blake,

David Lloyd,
Sam^l Carpenter,
Cornelius Empson,

James Fox,
John Brinkloe,
John Swift.

Livet. Governo^r Markham. Gentl., You have desired a Committee should be appointed to concerto with you upon some objections and doubts arisen upon the paper Containing the List of titles of Laws, & his Excell. answer therunto, for which reason wee are now mett.

M^r Speaker. Wee have manie reasons to believe that our Laws are of force, but shall only mention this; That these manie years wee have exercised the government by these Laws, & are in the enjoyment of them; Wee know them to be our Laws, and wee know & can prove that Wm. penn caried the greatest bodie of them to England, & conceive they wer delivered to the king, and never declared void: and as to the rest of our Laws, the time Limited in the Letters patents for transmitting of them is five years, which is not yet expired; and as to yo^r objection that they are not enrolled and und^r the Seal of the proprietarie or his deputie, wee say that is not necessarie to the making of Laws, but they are onlie Ceremonies, and you have been active as well as wee in executing these Laws, tho without the Seal, and therefore, wee pray they may be allowed to be of force as our right.

M^r White: all the Laws that wee pretend to are 203, wherof 174 wer made while the proprietarie, Wm. penn, was here in person. Wm. penn had sufficient power to make these Laws, and Livet. Governo^r, You wer present att the making of ym, and if any thing wer amiss you are concerned.

Livet. Governor. I was present att the making of them all.

M^r White. All except about twelve or thirteen.

Livet. Governor. I was not secretarie all that time when the Laws wer made, but att the making of a few of them.

M^r White. Those Laws were caried home to England by Wm. penn, and by him presented to the king, or his privie Councill, which wee are readie to prove, and the king did not within six months declare them to be void; Therefore, they are our Laws, and wee have had the peaceable exercise and enjoyment of them; and some of you that are of the Committee of the Councill have sitt upon the Bench, and given Judgment of death by these Laws; wee are in the posession

of ym & say they are good and of force. Wee desire you to prove that they are not good.

Livet. Governo^r. Wee are not to prove the negative, you are to prove the affirmative, becaus you produce none.

Mr White. Wee have our Laws here; And wee now put it to the Livet. Governor to say whether hee hath not the originall bills of these Laws in keeping, as formerlie secretarie of this province. Wee are willing to have them compared with these bills; wee know ym to be true Copies; wee are readie to prove that they wer passed into acts.

Livet. Governo^r. I owne that I have the Bills by me, and doe believe that book may be a true Copie, and all which you have alledged may be answered in one word, but goe on and say what you have to say.

Mr Loyd. That is all wee desire, if these be the Laws that wer enacted; Wee came not here to dispute the forme and validitie of the Laws by the want of a seal, or their not being Legallie published; But whether these be the Laws or not that wer made and published, which you confess; Soe the matter is att an end.

Livet. Governo^r. Have you anie more to offerr.

Mr Speaker. Doe you call us in question by what authoritie wee doe use these Laws, when you have jointlie along with us executed them?

Mr Lloyd. Who can be Judge whether these Laws be in force or not. None can be Judges but those that made them, since ther is no order from the king and Councill declarring them void; wee desire that they may be put in execuon. It wer hard that the want of the affixing a Seal, or some such other Ceremonie, should destroy our Laws; And if wee allow this att present wee must expect it for the future, That everie new Governor, finding fault with some omission or another in the making or publishing of our Laws, will declare them void, which is of evill Consequence, and wee doe not know that ever wee shall have more Laws.

Livet. Governor. Have you anie more to offerr.

Mr Speaker. Wee have, But this may suffice att present; Saving to our Selves the making farther ans^r and defence when wee shall hear what is offerrd ag^t our Laws being in force, Which wee desire to hear.

Patrick Robinson, Esq^r. Gentl., You have desired his Excell. to Cause the officers to putt in execuon the Laws contained in this List, and have made a Large preamble or Introduction to this desire, wherein you have been Unfair in repeating the words of the Charter. In your paper you say: ["also granting unto the said Wm. penn, his deputie or Livets, by virtue of the said royall charter, full, free & absolute power, by and with the assent of the freemen of the said province, to make, enact and publish any Laws whatsoever, for anie, and appertaining either to the publick state, peace, or saftie of the said Countrie, or unto the private utilitie of particular persons, according to their best discretion."] Whereas, the 4th paragraph of the Letters patents is in these words: ["And for as much as wee have hereby made and ordained the aforesd Wm. penn, his

"Heirs and Assigns, the true and absolute proprietors of all the
 "Lands & dominions aforesaid; know yee therefore, that wee, reposing
 "speciall trust & confidence in the fidelitie, wisdom, justice and pro-
 "vident circumspection of the said Wm. penn, for us, our heirs and
 "Successors, doe grant free, full and absolute power, by virtue of these
 "presents, to him & his heirs, to his and their deputies and Livets,
 "for the good & happie government of the said Countrie, to ordain,
 "make & enact, & under his and their Sealls to publish anie Laws
 "whatsoever for the raising of Monie for the publick uses of the said
 "province, or for anie other ends appertaining either unto the publick
 "state or safety." Where it is plain that your Laws ought to be pub-
 lished under some seal, either of Wm. penn, or of his deputie or Livet.,
 which is the defect you now lye under, and wold Conceale. None of
 those Laws (you desire may be putt in execuon) wer ever SOE pub-
 lished, nor are to be anie where seen or found, nor is there anie stand-
 ard of such Laws to be produced to his Excell. for his approbation..
 You have books of Laws, & so have I, but they are not attested by
 any officer for true Copies, and there are not any originall rolls under
 seal to compare them with, Which is manifest to you all. You doe
 Likewise alledge that the greatest bodie of Laws wer transmitted &
 presented to the Councill by M^r penn, which is a doubt. But if they
 wer, it will signifie nothing; for as they are to be published under
 seal, so also wer they to be transmitted under seal: paragraph 7th.
 ["Our further will and pleasure is, that a transcript or duplicate of all
 "Laws which shall be SOE AS AFORESAID made and published within
 "this province, shall, within five years after the making therof, be
 "transmitted & delivered to the privie Councill for the time being, of
 "us, our heirs and Successors; and if anie of the sd Laws within
 "the space of six mo's after that they shall be soe transmitted & de-
 "livered, &c."] (Soe transmitted) is under seal Soe as published, and
 if never published under seal, consequentlie never soe transmitted.
 You must not think to claim that of right wch is meer grace.

Their Maties are tender of their Honour and interest in forreign
 plantaons, and take care to prevent their alienaon from the Crown, by
 appointing such methods of governm^t in their Letters p^tents as may
 be most for their preservation, which they expect shall be punctuallie
 observed. The Seal is the soule and Life of the Laws, as you find
 by the charter, and was never affixed to them, or anie of them. Wee
 are readie to hear you offerr anie thing to the contrarie. Also, by
 your own confession, manie of your Laws are not transmitted, and
 manie or most of them dissonant to the Laws of England; wheras,
 his Excell. is cominanded to pass such Laws as are as neer as can be,
 agreeable to the Laws of England.

M^r Speaker. It is not an injunction to affix the seal, but a Leave
 of a thing given to Go^d penn, as a mark of favour, which hee may
 use if he please, but there is no obligaon to use the seal. It is onlie
 a Ceremonie; and so sayes over again what hee said before.

Leivt. Governo^r. M^r Speaker, neither does the king enjoin the
 making of Laws when hee gives the power of making them, But when

this power is exerted by you, It ought to be done in the manner the king directs, becaus you have not power to make ym otherwise.

M^r Lloyd and M^r White repeat their former arguments, and alledge that the sealing is not materiall to the making of a Law, but the consent of the Governo^r, Councill & assembly.

M^r Andrew Robinson. The agreement of the Governo^r, Councill, and people, to the passing of a Law, is but like a deed drawn by articles of agreem^t, which is no deed untill it be sealed and delivered, tho attested by the parties' hand.

M^r White acknowledged there may be defect in the officers, one or other, but we cannot tell but they may be enrolled and sealed somewhere or other; perhapps they may. Wee know these are bur Laws, and wee have executed them, and it will runn us all into confusion, & all our acts of govern^t and proceedings in Courts of Judicature must be condemned, if wee allow the Laws are not of force and in being.

M^r pat. Robinson. *de non apparentibus et non existentibus eadem est ratu.*

Sam^l Carpenter. If now they are our Laws I will stand by them. I had rather Loose all I have in the world than part with our Laws.

M^r White. It does not appear that the Laws were to be made under the seal, onlie to be published under the seal; therfore, they were made by a good authoritie, and if any thing be wanting it is not our fault who made them, & we ought not to sufferr by the neglect. The fault may be remedied.

M^r Loyd. I am surprized the members of Councill, who have a joint interest with us in the province, and have acted by these Laws and satt in Courts of Judicature, should speak ag^t their validitie. Our priviledges are yours.

Andrew Robeson, Esq^r., Chiefe Justice. Gentl., wee are well satisfied it is so, & heartilie wish the prosperitie of the province in everie respect; But it is all our duties to know the strength and Validitie of our Laws, that the ministers of Justice may be satisfied of the validitie of their Laws, and that they proceed upon good grounds; and also, that the people may be satisfied of the Justice executed, and what they must expect if they transgress.

M^r pat. Robinson. Gentl., His Excell the Governor has a tender regard to this province & the peace of the people therin; But you must Likewise consider that hee must be tender of the prerogative of the Crown. Hee hath come hither by their maties' comands, not of his owne seeking. I am verie well assured that notwithstanding all this wee have heard in this meeting, His Excell. will goe as farr as may be to serve the province in bringing all to rights. His Excell. cannot agree to the execuon of any Law that is repugnant to the Law of England, therfore I wold advise you to Looke over again that List of Laws, and consider with yourselves what may be for your owne peace and benefit: I am pretty well satisfied you may order the List so as that his Excell. will agree that the Laws therin contained shall be

executed by the officers in the government, untill his excell. shall receive orders from their maties concerning the same. But this I must tell you, that you must not think to offerr that Law concerning wrecks, for his excell. has a particular Comission for Vice admirall, which reaches this province and the three Lower Counties.

M^r Speaker. We are well satisfied to doe this; wee matter not the Law of wrecks; Believe that will make no rubb. Wee desire you will be pleased to request this of the Governo^r.

[25th May, 1693.

Att a Councill Held att philadelphia on a Thursday the 25th of May 1693, Afternoon.

PRESENT:

His. Excell. BENJAMIN FLETCHER, &c.

WM MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson,
Robert Turner, } Esq^r.
Patrick Robinson.

William Sallaway, }
William Clarke, } Esq^r.
George Forman.

The Comittee of the Councill doe return, That the representatives appointed a Comittee to join them this day to read over the List of Laws, and to offerr such of them as they think convenient to his Excell. to order ym to be executed by the officers of the government untill their Maties pleasure should be further known; which, if his Excell. will promise to grant, they will then proceed with all expedition to the other bussines.

The Councill are of opinion and doe advise his Excell. to grant their desire.

His Excell. did send to the house of representatives to acquaint them that he was readie to grant that some Laws should be executed, Untill their Maties pleasure should be known, and to desire them to proceed upon the other affairs befor them wtout loss of time.

[26th May, 1693.

Att a Councill Held att philadelphia on Friday the 26th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner, } Esq^r.
Pat. Robinson,

Lawrence Cock, }
Geo. forman. } Esq^r.

His Excell. did send for Livet. Go^r Markham, and understanding

him to be indisposed to come abroad by the gout, & desirous to have a full board, did adjourne to his house.

Att the House of the Livet. Govern^r.

His Excell. did offerr that hee understood there was something in articles ag^t Thomas Loyd appearing in the Minute book of assembly, 1689, wherin he is charged with defaults in the administration of Justice, Which may serve if there be occasion, to defeat their allegation that Justice was duly executed, and ordered the perusal of the book.

Ordered also, the Councill doe resolve into a Committee this afternoon, to Consider of an answer to the Remonstrance of the representatives, which they are desired to putt in writting & return to his excell. und^r their hands, for his better informaon, being a stranger in the Countrie.

POST MERID.

3 A Clock afternoon, the 26th of May, 1693.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Lawrence Cocke, } Esq^{rs}.

Wm. Salway,
Wm. Clarke,
Geo. forman. } Esq^r.

The Committe having drawn up their answer to the remonstrance, doe sign it, and afterwards present it to his Excell.

The Councill's answer to the representatives' remonstrance, philad. the 26th of May, 1693.

Wheras, the Governor hath been pleased to appoint us a Committee of the Councill to give our opinion of the remonstrance delivered to him by the assemblee, Wee having mett & considred the same, doe with submission deliver our sense, That wheras the assemblee doe say: That they "conceive that their desires wer not grounded on mis-
"takes in relation to the proprietor's absence. Wee conceive it was Be-
"caus they doe earnestlie beseech that their proceedings in Legislation
"may be according to the usuall methods and Laws of this governm^t,
"founded upon the Late king's Lres patents, desiring the same may
"be confirmed unto them as their rights and Liberties;" The which
themselves have overthrown & declined, by their choosing repre-
sentatives to serve in assemblee according to the Governor's writts,
founded on their Maties' Letters patents, befor they did ever assert
or insist on their former methods or frame of government. And
wheras, they say that they "doe w^t all readines and cheerfullnes
"owne accordingly to be the right of the king and Queen." But
they do not mention king Wm. & Queen Mary, which wee conceive
to be a great Omission, if not a slight putt upon ym. And wheras,
they say that they "apprehend the reasons for the Superseding the
"proprietor's governancie are founded on misinformations, for that the
"Courts of Justice wer open in all the Counties of this govern^t, &

"Justice duly executed." Wee doe say that wee can instance in severall particulars where justice was delayed, if not denyed, & therfor not duly executed. And wheras, they say, that they "doe not apprehend that the province was in danger of being lost from the Crown." To which we ans', That wee doe not know of anie care that was taken for the defence therof.

Andrew Robeson,
Rob' Turner,
Wm. Clarke,
Lasse Cock.

William Salway,
George forman,
pat. Robinson,

[27th May, 1693.

Att a Councill Held att philadelphia on a Saturuday the 27th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Rob' Turner,
Lawrence Cock, } Esq^r.

Wm. Salway,
Wm. Clarke,
Geo. forman, } Esq^r.

His Excell. sent M^r Jamison to know if the representatives have made anie thing readie for the perusall of the Councill, to save time.

M^r Jamison returned that the house were not mett; that some of the representatives there told him they wer copying out such Laws as they wer to offerr to his excell.; that they had imployed three Clarks, but that they beleived it Impossible they wold offerr any thing this day; & that they were also proceeding upon other matters.

Adjourned till Moonday morning, 8 a Clock.

[29th May, 1693.

Att a Councill Held att philadelphia on Moonday the 29th of May, 1693, Afternoone.

His Excell. gave the board to understand that in the forenoon hee had sent to the house of representatives about eleven a clock, and there was no assemblee mett; that the Speaker is now come to towne and the assemblee sitting, desiring the advice of the board If it may be proper to send for the speaker & reprimand him for going out of towne w'tout leave, or to send to him and urge their dispatch. The Councill doe advise his Excell. to send to urge their dispatch.

Ordered, M^r Jamison doe wait upon the House of representatives. and tell the Speaker that his Excell. and Councill did attend on Saturuday Last, and sent a Message to them and they wer nott mett; In Like manner this forenoone, and they were not mett, The Speaker and Sundrie representatives being outt of town: That it is neither warrantable nor answerable for the members of assemblee to goe outt of

"Justice done executed." Wee does say that wee can instance in several particulars where justice was delayed, if not denied, & therefore not duly executed. And whereas they say, that they "doe not apprehend that the province was in danger of being lost from the Crown." To which we ans^r, That wee doe not know of any case that was taken for the defence therof.

Andrew Robeson,
Rob^t Turner,
Wm. Clarke,
Laase Cock,
William Salway,
George forman,
Geo. Robinson.

[27th May, 1693.]

All a Council Held at Philadelphia on a Saturday the 27th of May, 1693.

PRESENT:

His Excellency BENJAMIN FLITCHER, &c.

Andrew Robeson,	{	Esq ^r .
Rob ^t Turner,		
Lawrence Cock,		
Wm. Salway,	{	Esq ^r .
Wm. Clarke,		
Geo. forman,		

His Excellency sent Mr. Jamison to know if the representatives have made any thing ready for the perusal of the Council, to save time. Mr. Jamison returned that the house were not met; that some of the representatives there told him they were copying out such Laws as they were to offer to his excellency; that they had employed three Clerks, but that they believed it impossible they would offer any thing this day; & that they were also proceeding upon other matters. Adjourned till Monday morning, 8 a Clock.

[28th May, 1693.]

All a Council Held at Philadelphia on Monday the 28th of May, 1693, Afternoon.

His Excellency gave the board to understand that in the forenoon he had sent to the houses of representatives about eleven a clock, and there was no assembly met; that the speaker is now come to town, and the assembly sitting, desiring the advice of the board if it may be proper to send for the speaker & reprimand him for going out of town without leave, or to send to him and urge their dispatch. The Council doe advise his excellency to send to urge their dispatch.

Ordered, Mr. Jamison doe wait upon the House of representatives, and tell the speaker that his excellency and Council did attend on Saturday last, and sent a Message to them and they were not met; in like manner this forenoon, and they were not met. The speaker was desired to be present, but they were not met. That it is a matter of considerable not answerable for the members of assembly to give call of

towne without the Leave of the House, nor for the speaker without his Excell's Leave, during their Sessions; That his Excell. must be gone to morrow. That if anie thing extraordinarie shall happen in the frontiers during his Excell's absence, they must think to answer for their delays; and to desire to know if they will have anie thing to offerr this night.

The Speaker did return in answer, that the house was adjourned on Saturaday to ten a clock this day; That his house was not farr outt of town; that against ten a clock hee did return & was in town; That they wer putt upon new measures, the provincially Council having formerlie prepared bills; That they were unskilled in the methods: They were busie, and hoped they wold have something to offerr this evening, att Least they wold send word how farr they were proceeded.

Adjourned till 8 a clock morrow morning.

[30th May, 1693.

Att a Councill Held att philadelphia the 30th day of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,	} Esq ^r .	Wm. Salway,	} Esq ^r .
Robert Turner,		Wm. Clarke,	
Pat. Robinson,			

Two of the Representatives did present 13 bills not signed by the Speaker, nor anie wayes relating to the Queen's demands and his Excell. desire, which wer read.

Adjourned till 3 a Clock afternoon.

[post merid.

POST MERIDIEM.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,	} Esq ^r .	William Salway,
Robert Turner,		William Clarke,
Pat. Robinson,		George Forman.
Lawrence Cock,		

Ordered, that Pat. Robinson & George Forman, Esq^r., doe signifie to the House of representatives that his Excell. is surprized to find 13 bills returned & none of them answering their Maties' demands. nor hath his Excell. seen one vote or minute of assembly concerning anie of them. None of them are signed nor passed the house in anie forme, Soe that nothing is done but an expence of time; That they desire them to dispatch their Maties' affairs, which sufferr much by his

Excell's absence, being severall times called back to the fronteers since his coming hither, and must be gone to morrow.

Pat. Robinson & George Forman, Esq^r., did bring answer from the speaker, that they wer making haste; had not mispent time; wer putt upon new & unusuall methods, & desired the Governor's excuse: that the monie bill was almost readie.

Adjourned till morrow 8 a clock morning.

[31st May, 1693.

Att a Councill Held att philadelphia the 31st May, 1693.

PRESENT :

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner, } Esq^r.
Lawrence Cock,

William Clarke, } Esq^r.
George Forman,

John White and Edward Blake, from the representatives, brought up the former 13 bills, signed by the Speaker.

His Excell. told them that their house had not treated him well; That they had not sent the votes of their House these two nights by past; That he hath not found in anie of their votes the Least mention of these bills they have surprized him withall, and desired their dispatch of their Maties affairs.

John White repeated the former excuses for their delay, and told his Excell. that there were revolutions in government of Late, and tho' they were conscious of no guilt, yet it wold be Convenient to pass an act of oblivion.

His Excell. replied, That he was sensible of a great manie neglects and abuses that wanted reformaon, particularlie their Laws not published under Seal nor enrolled: That hee had offered to sett them to rights, and to grant ym anie thing which might be consistent with the laws of England and their Maties Letters patents, but they have slighted his offerr, and had the boldnes to justifie ymselves in everie thing.

Ordered the reading of the thirteen bills. The 12 bills being three times read, Ordered that pat. Robinson, Esq^r. doe acquaint the House of representatives that these bills are read over, & his Excell. expects what they further intend to offerr.

Jar. es Fox & Cornelius Empson, from the hous of representatives, brought up 18 bills Signed by the Speaker, amongst which a bill for erecting a post office and a bill against privateers.

Ordered the reading of the said Bills. The Governor and Councill doe assent to twentie bills without amendment; five with amendments, and Six wer Laid aside.

Adjourned till 3 a Clock afternoone.

POST MERID.

Att a Councill Held att philadelphia the 31st of May, 1693, post meridiem.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Lawrence Cock, } Esq^r.

William Salway,
William Clarke,
George Forman. } Esq^r.

John White, david Loyd, Sam^l Carpenter and Edward Blake, from the house of representatives bring in and offerr the Bill of supplie for the government, which they say is read two times in their house, But not passed, and desires to know what is become of the other bills they have sent up; whether they are passed or not, or what amendments are made, &c.

His Excell. Gentl., This is no bill. I will not Look upon it untill it be passed y^e house & signed by the Speaker. I have sent you word formerlie that the speaker was to cause be wrote under each bill: This bill being three times read, is assented unto by the House of "representatives and ordered to be transmitted to the Governo^r and "Councill for their assent thereunto; and then signed by order of the "house: his name." But this you will not follow becaus bid to doe it.

Mr. White. May it please the Governor not to take it amiss that the representatives are desirous to know what is become of the other bills, ere they proceed to the passing of it; They Judge it the practice of the Comons of England and their right, therefore pray Gverno^r excuse it and peruse the bill.

His Excell. Gentl., If you did design to Compliment me with the sight of this Bill before it was passed yo^r house, you might have followed other measures. I can take no notice of it here untill it come signed by the Speaker & past the house. I will not Looke upon it.

M^r LLoyd. To be plain with the Governo^r, here is the Monie bill, and the house will not pass it untill they know what is become of the other bills that are sent up.

M^r White. May it please the Governo^r, The house doe not know but those bills the Governo^r may see Cause to Lay aside may be the bills they putt the greatest value upon, therefore pray thee to excuse it, and Condescend to them in that thing.

His Excell. Gentl., You have not dealt fairlie by me; you have no Candor; you have sitt these fifteen dayes & nothing done: no vote mentioning those Laws ever came to my hand untill you surprize me with 13 bills; & again more, some of which are directlie oppositt to their Maties Lres patents. I came not here to make bargains nor expose the king's honour. I will never grant anie such for all the monie in your Countrie. You have had her Maties Letter before you, and Let the house Consider what they are doing: I must be accomptable att whitehall for everie thing that is transacted here in this assembly.

I shall be sorrie if I can be able to give you no better character; and in short, you must expect to be annexed to New yorke or Maryland. I will not Look upon the Bill untill it will be three times read & signed by the Speaker.

The Representatives did throw down another bill upon the table and withdrew.

The Bill Last delivred is Concerning the estate of persons deceased, and not signed by the Speaker.

His Excell. Ordered M^r Robinson to Carie the same back to the house, and tell them that his excell. hath passed a bill ag^t abusing Magistrats this day in Councill; that they sufficientlie abuse his Excell. in sending up such scripts of paper without being signed, & that they must not expect that hee will take anie notice of such.

His Excell. sent M^r Robinson and M^r forman to inquire if the house of representatives had anie more bills to offerr; Who in ans^r said, the house wer in debate whether they should send anie more bills for assent Untill they heard that the other former bills were passed.

His Excell. after Long expectation, did desire the advice of the board whether hee should not dissolve the assemblie, having had no regard to their Majesties demands for assisting New yorke.

His Excell. ordered pat. Robinson & Geo. Forman, Esq^r. to wait upon the house of Representatives and demand of them whether they have complied with their Maties demands for assisting New york; whether they had considred of a Queta of men or monie, or both, and that they return an ans^r in writting, Signed by the speaker.

His Excell. gave them the Queen's Letter, of which the Representatives had formerlie a copie, that they might see it.

They brought in ans^r that shortlie they wold bring an ans^r in writting.

His Excell. did demand of the Councill If they have observed him to take wrong measures to disoblige the representatives and make the inhabitants uncasie since hee came amongst them, and prayed them to use their freedom of speech.

The Members of Councill did Return, That they wer admirers of his Excell. patience, and wer witnesses that hee hath taken all the stepps of Condescention Imaginable to gain them, and that they wer afraid the Countrie will be att Last Sufferers through their means.

His Excell. gave the board to understand that hee hath sent severall messages to the Representatives they have done nothing to answer the Queen's Lett^r. They have adjourned ymselves twice this day, and it is now three Hours since the Last message was sent to them; Therefore, asks the advice of the board to send for them and dissolve them.

Andrew Robeson Esq^r. made answer, That hee was ashamed of their behavcour to his Excell. after all that Condescention and patience his Excell. hath shoven to them: being putt to the vote, It is the opinion of the Councill (onlie M^r Salway excepted) that His Excell. have

patience till morrow morning, and that if they give not satisfactorie ans' to the Queen's Letter by 8 a Clock to-morrow morning, then to dissolve the present assembly.

Adjourned till 5 a Clock morrow morning.

[1st June, 1693.

Att an Assembly Held att philadelphia the first day of June, 1693,
5 a clock Morning.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Lawrence Cock, } Esq^r.

Wm. Salway,
Wm. Clarke,
Geo. Forman,

The Councill Having sitt two hours, Ordered that Pat. Robinson, Esq^r. doe wait upon the House of Representatives, and demand of them an ans' to that message concerning the Queen's Lett^r, according to promise Last night, in writting, & whether they have anie further Bills to offerr.

John White and Edward Blake from the Representatives brought a Roll of Laws, annexed to a petition of right, which Laws the assemblie doe petition may be ordered to be putt in execuon by the officers in the government, & a bill giving one pennie in the pound to y^r Maties.

His Excell. did say: Gentl., you have not dealt kindlie by mee. I suppose because you doe not know mee. However, I shall cause this Bill to be read, & then send to the speaker and the whole house. I suppose I shall give them satisfaction. This might have been done five dayes agoe.

M^r White. May it please the Governo^r not to take it amiss from anie particular member of the house, for as wee differ in face, so also in mind; It was not delayed through anie disrespect to the Governo^r but that it doth take up some time to bring men's thoughts and tempers to agree. I hope the Governo^r will part with us in Love.

His Excell. You may tell the house that I shall send for them so soon as have perused the bill.

The Bill of the pennie in the pound read three times. Ordered pat. Robinson, Esq^r. doe call the speaker and Assembly.

The Speaker and assembly present.

His Excell. said: M^r Speaker and you gentl., The representatives of y^r province, There is one bill that you have passed giving the pennie in the pound to their Maties, for which I am obliged to thank you. It wold require severall amendments, but I am in haist. I could wish you had given that monie, as you call it, for support of the

government of the province, by another name; It would a been more suteable & pleasing if you had taken some notice in the bill of the Queen's Letter; But I shall not insist, and as for that part yrof which you design for mee, I shall putt it to that use which their Maties shall require mee.

Gentl., There are Bills which are passed in Councill without amendment and approved: there are some five or six more that will want amendments, as that of marriages. The Councill are of opinion, with some of yo' house, that it is hard to oblige persons of religious societies different from the Quakers, should be tyed up to their measures.

BRIDGES. There is a word Left outt, perhaps by the Clark's mistake, which is the penaltie for not working. The Councill have putt in twentie Shillings for a dayes neglect: I believe you will agree to it. I believe it wer not amiss it wer 40 shillings.

CRIMINALL OFFENCES. There is wanting in this Bill the Crime of Burglarie, which you may have easilie added.

CASK. In the assize of Cask, It wer proper to take Notice of the oil Cask; fishing with the people of New york is much improved & oil makes a good return. I hope you will consider the improvement of it amongst you; also, I understand there is something done towards that trade of oil; therefore, it cannot hurt to regulate the oil Cask.

RECORDING OF DEEDS. I wold have the preamble Left outt; It's no part of the Law nor adds nothing to it.

There are severall other Laws which I could wish there wer time to consider of ym, but I doubt they will occasion so much debate as will make expence of time. There is that ag' debacherie in officers; I am willing to pass anie Law ag' bebauchrie you can propose; but there are Laws alreadie ag' those Crimes, and if they be putt in execution will not serve.

Mr Speaker. May it please the Governo', Wee know there are penalties upon such offences; But wee wold willinglie see that the highest places in governm' should be supplied with officers of most virtuous & exemplarie Life.

His Excell. And I also; But it is hard for a false step, in drinking a cup perhaps too much, a man should be deprived of his birthright, which is that hee be incapable to elect or be elected; this is too severe. It is the free Holders birthright as much as his name. I will give you Leave to banish mee outt of the governm' when you shall find me drunk. But Mr Speaker, there are manie other crimes, as fornication, which a man may happen to be guiltie of as well as drunkennes; why is not that in amongst the rest. I cannot take away the Subjects birthright. But if you will pass a Law for either Mulct or Corporall punishment upon such offences in Officers, I shall be readie to pass it. I believe if this bill You have proposed wer applied to this present assemble in the strictnes of it, Wee should have but a thin House. There are but few men in the world but one time or other may be convicted of Some of these Crimes.

YEARLIE DELEGATES. This is directlie oppositt to their Maties Lres patents. I will engage that while I am in the governm' I will call an

assemblie together once a year; But the king's affairs will not Suffer me to be allwayes here att a certain time. Besids, It is their Maties prerogative to call assemblies as often as they see meet, and this they have given unto me; I cannot part with it; besides, where is the hurt, if a good assemblie should be continoued by adjournment from one year to another. I Love to have Honest men upon my side, and for the rest I doe not care where they be.

SALLARIES TO THE ASSEMBLIE. Gentl., It is well, but you must also have under consideraon the Livet. Governor and the Councill. If it wer once come so farr as to have a Revenue established within this province upon their Maties to defray the necessarie charge of the govern', I wold show you which way it should be made use of for Support of the officers.

Therefore, att present I wold have you take the Livet. Governor and Councill und' your Consideraon, as well as the representatives.

FERRYS, If I am well informed, are a Royaltie, and are granted to the proprieto'. It seems strange to me that you should incline to take away anie thing from the proprietor, who is yo' friend. It is but his right, and I cannot take it from him. I cannot pass this bill.

PIRATES AND PRIVATEERS. The Bill which I sent you was originally drawn up att Whitehall. I cannot pass it as you have altered it. There is other Laws to punish privateers, & I am Vice admirall as well as Governo' here. Since you did not pass it in form I shall not insist. I remember some of you said it was too Sanguinarie; It can doe you but Little good or harme.

And for Choosing of officers, It is a thing the king hath Lodged in me to appoint officers; therefore, you must not expect it. To this and the other concerning delegates, I must give you a positive answer. I cannot pass them.

Mr Speaker desired the amendments, and was told they wer endorsed on the bills, then w'drew.

His Excell. did sign the other Bills that wer passed the Councill, and an ord' und' the List of Laws & petition that all Justices, Sheriffs, Constables & other officers in the province of pennsylvania and Countrie of New Castle, should execute, or cause the same to be executed, untill their Maties pleasure should be further known.

Ordered, Pat. Robinson, Esq'. doe carie down the signed roll, and show his Excell. Signature therunto, and desire them to return the Monie bill; which was done accordinglie.

His Excell. ordered Wm. Salway, Esq'. to enquire of the representatives if they were desirous to be adjourned, prorogued or dissolved.

Who returned that they wold consider of answer.

Adjourned till 2 a clock afternoone.

POST MERID.

Post Meridiam, præsentibus ysdem qui ante.

Edward Blake brought up Nine bills amended as the Governo^r and Council^l did propose, which his Excell. did pass; and that the assemblee could not consent to the amendment of the Bills for allowance to representatives, nor that of appeals, since they cannot allow Burglarie to be a capitall crime.

Edward Blake brought the bill of appeals, with the crime of Burglarie, allowed by the representatives, Which being three times read was assented unto by the Governo^r & Council^l.

His Excell. bid him tell the representatives that hee was readie to pass the bill for allowance to the representatives, But the Council^l declare their opinion ag^t it, unles provision be made for the members of Council^l, which is best done by establishing a revenue for support of the government.

His Excell. desires that the speaker and representatives doe attend him forthwith, being readie to goe on board.

M^r Speaker and the assemble wer admitted. Then His Excell. said: M^r Speaker and you gentl., you may be perhaps mistaken or not well acquainted with the Nature of passing bills in generall assemblee; You have had the Copie of my Comission, & you will find it there, that they are to be enacted by mee, by & with the advice & consent of the Council^l & assemblee, or representatives, Soe that it is not in my power to pass anie bills that come from your House, if I wer never so willing, w^out the advice and consent of the Council^l, tho' as they say in England, I have in myself the power to damn them, which is the Negative voice. I am verie willing to pass this bill for an allowance of Six shillings per diem to each representative, and Nine shillings to the Speaker; But I find a nemine Contradicente in the Council^l for Laying it aside. They doe alledge that your preamble to that Bill is verie fair and plausible, (to witt, the support of the Governm^t.) but then you must not seem therby to take the government whollie into yo^r owne hands, as if the Livet. Governo^r and the members of Council^l had no share yrin. They are Satisfied that ther is some thing due to you for yo^r service, but it is also true that the members of Council^l have a share in the government, and are in the Nature of the upper house, and there is no provision for them; you must not then take it ill att my hand, for I doe declare to you, Gentl., that if the members of Council^l will Consent to it now, I will this moment pass it as it is.

M^r Speaker. May it please the Governo^r, I knew not what thou woldst say to mee, therefore am not prepared to ans^r. But this I will venture to say of my self, and beleive it is the opinion of the house, That wee may give the Council^l the Character of great injustice to us. I doe not blame thee.

His Excell. It is not my fault; I am readie to signe it, and think it a verie reasonable allowance.

M^r Speaker. Governor, wee have just now paid twelve pounds odd monie outt of our owne pocketts for house rent, Clark's fees, and doore keeper, & for my owne part, I have served the Countrie these

severall years, and never had one farthing; But since it is soe, wee will not insist upon it. I wish that upon the Like occasion for the future, the Governo^r may be assisted with Councillors of more justice, and an assemblie of more witt.

His Excell. I am a stranger; I have put no stranger over you. I have had those gentl. recommended to me, and have found ym all wise, Carefull, & diligent to forward their Maties' Service during my abode. It is my rule to beleive well of everie man Untill I find the Contrary; your jealousies have been a great hinderance to their Maties' affairs in this assemblie. This bussines might have been done 8 dayes agoe: But I attribute it to this, That you doe not know me. I could wish you had made provision for all the officers of the governm^t; If you had, I was allwayes readie to pass it. I see one vote of the house to that purpose, but heard no more of it.

M^r Speaker. Governo^r, True wee did in the beginning. Wee had severall debates upon it, but it could not pass the house; It was ever much opposed.

His Excell. What harme wer it, or who could sufferr by it, if something wer laid upon wine, brandie, beer and Syder. No person is obliged to drink, & they y^t will dipp a Little more than ordinarie, will never feell the paym^t of it, nor drink the Less. It wer a better way than to Levie monie by distres, which takes a sum out of poor sober people's hands att once. I doubt not but an excise upon strong Liquors, with the addition of some things els, wold raise a Considerable sum of monie yearlie for the support of the Livet. Governor and Councill, & other officers.

Gentl., These Councillors will not allwayes be in place. It may be probablie yo^r owne turns to Serve verie shortlie. If once you wold establish a revenue upon their Maties for the support of the governm^t as it is in all places, I should quicklie give you an accompt how it should be distributed. It hath cost mee neer 200lb. the time I have been amongst you; there is my servants, horses & my table, which I have kept for these gentl. y^t came along wth me: and for you M^r Speaker, & the gentl. of the assembly, if att all times three or foure of you could have come, my door was never shutt, and I told you allwayes soe; but there was such jealousies and fears amongst some of you in this place, that it was avoided as if it wer treason for the speaker or anie other representative to be seen in my Companie during yo^r Sessions. My temper has been allwayes otherwise. I ever Loved freedom, and it is no argument of Love and affection where jealousie doth so predominate; It is not my fault; I hope wee shall be better acquainted in time. Gentl., I did desire to know of you whether you desire to be adjourned, prorogued or dissolved.

M^r Speaker. Governor, wee desire to be dissolved; wee doe thank thee for thy care and kindnes to us.

His Excell. Gentl., I will order the secerie to enroll those Laws that I have passed upon parchment, and affix a Seal to ym, and they shall remain in his office, to be a standard of yo^r Laws, to which you may recurr upon all occasions. I have Likewise ordered that the monie

bill shall be first enrolled, Which I doe for yo^r sakes; And trulie, I could wish you had taken notice of the Queen's Lett^r yrin; It wold have been better received by their Maties. And since you desire to be dissolved, I Have dissolved you, And you are hereby dissolved from the assembly, Soe gentl., I wish you all well to yo^r homes. Wee thank thee Governo^r and departed.

The end the first Sessions of Councill and Assembly.

[2^d Janry, 1693-4.

Att a Councill held att philiad. 2^d Janry, 1693-4.

PRESENT:

WM. MARKHAM, Esq^r Leivt. Governo^r.

Rob^t Turner,

Wm. Salway,

} Esq^r.

Pat. Robinson, Secrie.

No business offering, the Councill was dismist.

[9th Janry, 1693-4.

Att a Councill Held att philadelphia the 9th of January, 1693-4.

PRESENT:

WM. MARKHAM, Esq^r. Leivt. Governo^r.

Wm Salway,

Robert Turner,

} Esq^r.

Pat. Robinson, Secry.

The Leivt. Governo^r being Informed that some persons had been brought before some of the Justices of the peace for Robbing & stealing, which Crimes, by the 104th & 105th Laws of this province, wer formerlie punisht with restituon & 21 strypes, And which two Laws wer designed by the Last assemblee to have been Continued in force in their petion of right to his excellie, and tho' these two Laws be in the minuts of the Councill, & also in the assemblee book, amongst the List of those Laws presented to his Excellie & Councill to be Continued, yet they wer through haste omitted to be putt by the assemblee in the roll of Laws by ym requested to be continued, By reason qrof, the Justices are doubtfull how to proceed in the punishment of such Criminalls.

It was resolved, That his Excellie be Humblie requested to give his determinacon in this matter.

[16th Janry, 1693-4.

Att a Councill Held att philadelphia the 16th of Janry, 1693-4.

PRESENT:

WM. MARKHAM, Esq^r. Leivt. Governo^r.

Robert Turner, Esq^r.

Pat. Robinson, secry.

No bussines presenting, the Councill was dismist.

[23^d Janry, 1693-4.

Att a Councill Held att philadelphia the 23^d January, 1693-4.

PRESENT:

WM. MARKHAM, Esq^r., Leivt. Governo^r.

Robert Turner, Esq^r.,

pat. Robinson, Secry.

The Leivt. Governo^r signified to the Councill, That hee had a Lett^r from his Excellie, Containing a matter of moment, which wold require a full Councill; did therfor acquaint the members present not to fail to be here the 30th instant, and ordered the Secrie to write to Jn^o Cann & George forman, Esq^r., to be then also present, which the secrie accordinglie did.

[30th Janry, 1693-4.

Att a Councill Held att philadelphia the 30th of January, 1693-4.

PRESENT:

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

Rob^t Turner,
Wm. Salway,
Lacey Cock,

} Esq^r..

Geo. Forman, Esq^r.

pat. Robinson, Secry.

The Leiv^t Governo^r acquainted the Councill that hee had sent for Jn^o Cann, Esq^r., the 22^d instant; That the Secrie had writ to him from Geo. forman, Esq^r. his house, to be present att a full Councill thisday to advise about a matter of moment. M^r Cann not having come, The Livet. read a part of his Excellie's Lett^r to himself of the yth instant, in these words, viz: "You doe not ans^r mine relating to assem-
" blie which I incline to hold att New-Castle, but will comlie to the
" Councill's opinion."

After some debate about this matter, The further debate therof was deferred to the Sixt of Febrie next; and it was ordered that M^r Cann should have fresh notice to be then present.

Joseph pidgeon having exhibited to the Leivt Governor and Councill an acco^t of tenn pounds two Shills., for sundrie presents delivered the Indians by his Excellie's ord^r, when here at a treatie w^t ym, And desiring paym^t.

Ordered that Rob^t Turner, Esq^r, treasurer, pay the said sum outt of the pennie per pound tax raised for the support of the government.

Ordered that the Secrie issue outt a warr^t directed to the Messenger of the Councill, To Sumons Ann Letort, Cap^t Jn^o dubrois, peter Bisalion, mounce yokum, Lewis, the French Canada prisoner, Benjⁿ Clift & Thomas graves, to be here present the Sixt of Februarie next.

[6th Febyry, 1698-4.

Att a Councill Held att philadelphia the Sixt of February, 1693-4.

WM. MARKHAM, Leivt. Governo^r.

Robert Turner,
John Cann, } Esq^r.
Wm. Salway, }

Lacy Cock, Esq^r.
pat. Robinson, Secry.

The Informaon of Thomas Jenner and polycarpus Rose, exhibited to this board the 19th of Decemb^r, 1693, ag^t Ann Le Tort, &c. was again read, and by peter Reverdie interpreted to her & her husband from the English into French.

Shakhuppo, an Indian king, being examined by Capt. Cock, interpreter, saith That hee knows nothing of anie Letters sent to strange Indians by Ann Le Tort, nor by anie others, but that hee hath seen some strange Indians come to trade with her, but that hee neither knew ym, nor understood their Language.

Kayantarras' wife, by the sd Capt. Cock, interpreter, being examined, saith that shee has sometimes seen strange Indians come to Le Tort's plantaon to buy goods.

The said Ann Le Tort, by peter Reverdie, Interpreter, saith, that what those Informants by mistake call a packett of Letters, was onlie a book of accoⁿ of what the Indians owed them, wrapt up in a blue Linnen Cloath to preserve it from the weather.

To the 5th article, about Le Tort's whipping polycarpus Rose, & calling the English and Sweeds rogues, Shee saith, That the Indians are much indebted to her & Little to peter yokum, and that hee came befor her hous with Rum, & therewith enticed the Indians from her; wherupon shee in her anger, might call him & the sd polycarpus Rose names.

To the 1st article, The said Ann Le Tort saith, That shee never had anie such discourse with Hicquoquean, nor has shee seen him these three years past.

Benjⁿ Clift being Lame and not able to travell, sent to the Leiv^t Governor a paper, wherin hee saith, That two ot o^r Indian kings told him that ther have been Severall Lett^rs & powders sent to Canada by peter Bisalion, & that Lewis, the french Canada prisoner that lives at Le Tort's, told our Indians that they should see in a short time that all our English wold be cutt off by the French, and that if the English wer from amongst us you & wee should Live braveilie.

Cap'. Cock saith, that hee believes our Indians are onlie afraid that the strange Indians will come and Surprize them.

Wherupon the Leiv'. Governor ask't and desired the Council's opinion, Whether from the abovesaid examinations & proffs, ther wer sufficient grounds wherupon to bring the sd Ann Le Tort to a tryall.

They wer Unanimouslie of Opinion that there wer not.

The petion of some of the Inhabitants of philadelphia & of some other parts of the province, was read, setting forth their Jealousies relating to the French in generll amongst them, and more speciallie referring to those trading in remote & obscure places with the natives, without securitie or approbaon: And therefore, Requesting that the French may be called from those places, where they still Continou their Commerce with the Natives, and that if they be permitted to retail trade, that it be in places of this or other towns in the province, and that neither they, nor anie others, be permitted to freedom of trade with the natives, but such as are approved of, and upon securitie of acquainting the government with all the matters they can hear or observe concerning the natives and the enemies of the Countrie.

It was hereupon Resolved, That Capt. Jaques Le Tort give to the Leivt. Governor sureties that hee shall acquaint the governm' with all matters hee can hear of or observe concerning the Natives & the enemies of the countrie, and that he take the oaths appointed by act of parliam' to be taken in stead of the oaths of allegiance and supremacie.

Ordered, that Cap' Le Tort, or his wife, bring before the Leivt. Governor and Councill Lewis, the Frenchman that Lives att his house, the 13th instant.

Ordered that Robert turner, treasurer, give to Shakhuppo and kyantarra's wife two match coats, and two shillings sixpence in monie.

His Excellies Letter to the Leivt. Governor and Councill, dated "the 25th of January, 1693-4, was read, Wherin Hee sayes: "I find it needfull for their Maties' service to call a generall Assemblie in the spring; doe therfor ask your advice of the time & place of meeting, Which I will order accordinglie. I shall be readie to meet you the Later end of March, or beginning of Aprill, Unless I be called to the frontiers. You are sensible of the weaknes of governm' without support. I hope you will use yor endeavors to gett such to assist me who are best qualified for that service."

After some debate, it was the unanimous opinion of the Leivt. Governo' & Councill, That the most Convenient time for the sitting of the next generall assemblie wold be about the tenth day of Aprill next, and the most Convenient place the town of philadelphia, But Humblie submitted both time and place to his excellies pleasure; And desired the Leivt. Governo' to return their heartie thanks to his excellie for his care of them, assuring his excellie that they should not be wanting in anie degree of their dutie to, and assistance of his excellie, according to their power and abilitie.

[7th Februy, 1693-4.

Att a Councill Held att philadelphia y^e 7th of February, 1693-4.

PRESENT :

WM. MARKHAM, Esq^r., Leivt. Governo^r.

Rob^t Turner, }
John Cann, } Esq^r..

Lacey Cock, Esq^r.
pat. Robinson, Secry.

The petion of Thomas Lacey ag^t John Swift, having been read, Ordered that the Secrie write to Jn^o Swift to be here the 13th instant, to make ans^r to the sd petition.

The petion of philip England having been read, setting forth that hee hath been Lawfullie Impowred and authorized to keep an Ordinarie and ferrie att Skuillkill, first by an order from the proprietor, dated the 16th of 8ber. 1683, under his hand and Seal, therin strictlie Charging that no person presume to transport anie passengers for monie or reward, over the said river, neer the sd ferrie: secondlie, by an order from Governo^r Fletcher, dated the 29th of Aprill Last, fullie Confirming the proprietor's grant to the petitioner for the sd ferrie and ordinarie: And thirdlie, by a Leass from the Leivt. Governo^r, in behalf of the proprietor for the sd ferrie, for a certain term of years, att the yearlie rent of seven pounds; And that the sd petition^r seatled himself and familie theron, the acco^t of keeping the said ferrie, and has been att great charges to fitt & accomodate the same with boats & Canoes, and in making a convenient Landing place on both sides of the river, both for horses and passingers, And is obliged to attend the publick service of the government. Notwithstanding of all which, one Wm. powell, in Contempt of the authoritie aforesaid, hath a Longtime ferried over people and horses, & has for six mo. past erected a boat, as ferrieman, and ferried over severall horses and passengers, to the petition^r's great detriment, and since his being called to acco^t for his contempt of the authoritie aforesaid, befor the Leiv^t Governo^r & Councill, which was the 18th of July, 1693, has pretended to sell the sd boat to certain people, who doe employ one Nathaniell Mullinax to ferrie them over, in Contempt of the power and authoritie aforesaid; And yrfore, Requesting the Liev^t Governo^r and Councill to cause the sd Wm. powell and Nathaniell Mullinax to appear befor ym to ans^r the contempt aforesaid, as also for the wrong the petition^r has sustained yrby, that so yo^r petition^r may receive such Justice herein as you shall Judge meet. Nathaniell Mullinax having appeared, the minuts of Councill of the 27th of June & 18th of July & 19th 7br. relating hereto wer read, Wherin Wm. powell promised that hee wold desist from and Leave off ferrying over people att that place, & that none else und^r him should ferrie anie people over from his Land for anie reward, and which the Liev^t Governor and Councill charged him strictlie to observe att his perrill.

The sd Nathaniell Mullinax being interrogated who they were that first employed & hyred him to ferrie people over, Hee ansrd, That most of the people of Harford & Marion, & some of darbie, imployed and hyred him to ferrie ym over, and that they were to pay him his wages, & that he knew no reason why he might not work for

his Living as well as others: And after sometime hee brought in a List of the names of some that imployed him, viz: Evan prothero, Wm Howell, Thomas Smith, Wm. Smith, Morris Luellon, David Meredeth, Jn^o Rhodes, Wm. Warner, Humphrie Ellis, Ellis Ellis, Hugh Roberts, Robert Owen, Jn^o Apowen, Richard Haye, Adam Rhodes, Christopher Spray, Davis Lues, Lues David, David Ewer, John german, Hugh Shone, Evan Hendrie, Wm. garrett, John Blunstone, Sam^l Lewes.

It was ordered that the sd Nathaniell Mullinax be comitted to the Comon goale of this County, till hee give good and Sufficient securitie to the Leivt. Governo^r. that hee shall ferrie no more persons, horses, nor cattle over Skuillkill, att Wm powell's, for gift, hyre or reward, directlie nor indirectlie; And that 'he said boat be forthwith Seazed and secured by the sheriff, till the owners therof appear befor the Leiv^t Governo^r and give the like securitie.

Upon reading the petion of Jn^o Bristow, setting forth that when hee was Ranger for Chester Countie one Richard Thompson, in 1692, brought to him an unmark't horse as a stray, which the petition^r received from him, and thereafter the grand Jurie for sd Countie presented the petition^r for receiving a markt horse for a stray; Att which Court of Quarter Sessions the petition^r was discharged from the sd presentment, upon evidence that the sd horse did not appear to be arteficiallie markt when hee came to the petitionrs hands; Wherupon the petition^r was ordered by the then Court to sett up a paper on the Courthouse door, to notifie that in Case anie person should come and prove the said horse to be theirs, they should have him returned; which the petition^r accordingle did, As by a Certificate und^r the hands of the then Justices for the sd Countie, and und^r the hands of the grand Jurie therof, has appeared; Notwithstanding wherof, the Late grand Jurie for the sd Countie have of new presented the petition^r for y^e same thing, wherof hee was formerlie cleared, tho' no person hath yet appeared to owne the sd horse, which the petition^r believes is done of purpose to stopp him from prosecuting his intended voyage for England, and to damnifie him in his good name & reputation; And therefore, Requesting such releif in the premisses as tne nature & circumstances of his case requirs, and that the rather, that the petition^r is still willing for peace sake to deliver up the sd horse to anie person that can make proof that ever hee was theirs, tho' he has paid half of his value to the proprietor's receiver, &c.

It was the opinion of the Leiv^t Governo^r & Councill, That (the new presentment seeming rather Litigious than just,) the Court of Chester Countie be advised to moderation, and to be carefull not to countenance anie thing that carries with it the face of anie former grudge, animositie or revenge, ag^t anie person whatsoever.

Ely Lush, Wm Rawlings, Charles kemarr, Rob^t Lindsay, peter Goss, mariners, having made prooff befor the Leiv^t Governo^r and Councill that they were ordered by — petit, M^r of the ketch James, (wherof Cap^t James Risbie was owner,) to putt on shore Nathaniell Lukins, who piloted the said ketch down the bay of delaware, which they did, and that by reason of the bad weather att Cape Henlopen,

they could not get on board the sd ketch again, and that they were readie to deliver the ketch's boat to John More, attornie to said Risbie, and therefore, requested they might have a Certificate from the Leivt Governo^r accordinglie, which was granted them.

[13th Febr'y, 1693-4.

Att a Councill Held att philadelphia the 13th of February, 1693-4.

PRESENT:

WM. MARKHAM, Esq^r., Leivt. Governo^r.

Robert Turner, } Esq^r.
William Clark, }

Pat. Robinson, Secrie.

The Leiv^t Governo^r represented to the Councill, That the proprietor's Comrs of propertie, had made applicaon to him by way of complaint, That Wm darvall of kent Countie, stood Lawfullie indebted to the proprietor in certain considerable sums of monie upon obligacon and for arrears of Quit rent, and that one John Barnes, who has lived on sd Wm darvall's plantaon in the sd Countie, does without anie due Course of Law, imbezill, wast and Consume the goods, household stuff, cattle, and stock of the sd Wm dervall, and sel's and squanders away the same, and Converts the monie to his owne use, Intending to Leave this province and to Carie with him what hee can of the sd Wm. darvall's estate, to the utter ruine of the sd Wm. darvall, and to the totall defeating the proprietor of his just debts So owing to him, and therfor, Requesting the assistance of the governm^t for prevention therof.

Ordered, that a warr^t be issued from the Leiv^t Governo^r, directed to the Sheriff of kent Countie, to secure the person of the sd Jn^o Barnes, untill hee show good and Sufficient reason for his doing as above, And in the meantime, to attach, att the proprietor's suit, and take into his Custodie all such goods, household stuff, stock and Cattle that shall appear to belong to sd Wm. darvall, in whois hands soever they be; As also, to secure all such monies as are in the hands of anie person whatsoever, as the produce of anie of the goods of the sd Wm. darvall, sold to them by the said John Barnes.

Robert Wade's petion having been read, setting forth That hee is Lawfullie seized in fee simple, in an estate of inheritance to him & his heirs forever, in a piece of Land in Chestertowne, oppositt to & ranging with the front of the Court house of the sd Countie, Beginning on the south west side of the sd street of the sd town, and so to Low water mark in the Creek in depth, and fiftie-three foot in breadth, fronting sd street, with all its appurtenances, under the yearlie rents due to the Lord of the soil therof, As by his deeds for the same, duly perfected, to the Leivt. Governo^r & Councill produced, hath appeared; and that notwithstanding therof, on the 5th day of the 4th mo. 1689, the grand Inquest for the sd Countie of Chester did, without the petitioner's knowledge, Leave, or consent, and without offering or

paying to the petion^r the Least consideraon, Lay outt the petitioner's said whole piece of Land for a public Landing place and open street, for the pretended Service of the said Countie, and the then Justices of the sd Countie declared to the petition^r, that they Seazed it for the king; and that the petion^r being a freeman, cannot by Law be dis-seized of his freehold but by the Judgment of his 12 equalls, by a Legall tryall, and which act of the Court has been to the petitioner's great Loss & damage, who is daylie threatened to have what hee shall build on sd his Land pulled downe and throwen into the sd creek, and therfor, requesting such remedie & redress in the premisses as is agreeable to Justice & equitie.

Wherupon, the Leiv^t Governo^r ask't the advice of the Councill, who after further hearing of the said Robert Wade, ordered that the said Court, or Clark therof, (on the petitioner's request of payment for it,) send to the Leiv^t Governo^r & Councill by whois and what warrant the then Court and grand Jurie So Laid outt the petitioner's Land aforesaid, and that hee send a Copie of the same warrant, & of the whole presentments, orders and minutes of Court from time to time, relating to this affair.

Upon reading the petition of Thomas Lacey, setting forth that being by Mary Rowles, servant of John Swift, unjustlie accused for the father of her bastard child, and by sd Swift's procurement was bound over in 40lb, to ans^r att the next Court of Bucks, att which the petition^r appeared, and the Court bound him in 10lb, & Israell Taylor, his suretie, in 5lb, for appearance att the next Court, att which time the petition^r being sick appeared by his attornie, where Little was done in the matter, & being advised that ther was no need of appearance att another Court did not goe, wherupon his bonds wer forfeited, on which they gott outt execuon ag^t the petition^r, and have Leavyed it on Israell Taylor's goods, & the petition^r is threatened by sd Swift with the sd execuon throughou^t all the province, to his detriment, and that as hee has formerlie offered to take the bastard, & to give securitie for maintaining of it, so he is still readie to doe, if Jn^s Swift and its mother will part with it, Which they refuse; And yrfor, Requesting the fine may be forgiven, & also all such Corporall punishment as the severitie of the Law might inflict on him by reason of the false accusaon of the sd Rowles.

John Swift appeared and answerd, that it was true that said Rowles Laid the sd child to the petitioner, but that hee was not bound over by his procurement, being done under the Late govern^r; that hee was never bound in 40lb, but in 10lb, & his securitie in 5lb, & that hee never appeared att anie Court, and that ther's no execuon outt ag^t him nor his suretie; that hee has yet given no securitie for maintaining the sd child, and that the mother will not part with it.

Ordered, that the petition^r produce to the Leiv^t Governor and Councill a copie of the records of the sd Court relating to the whole affair, wherby it may appear whether the sd bonds wer forfeited or not; and the Leiv^t Governo^r told sd Swift that no Countie should be a place of refuge for persons that had broken the Laws in another Countie, and

that if he wold take outt a warr^t from ym to carie him into their Countie for his Legall tryall & punishment, hee might have it; and if hee desired that the petition^r should give securitie here for maintaining the child, they wold force him so to doe. To which sd Swift answered, that it was not his bussines to be att anie Charge about such a fellow.

[20th February, 1693-4.

Att a Councill Held att philadelphia the 20th of February, 1693-4.

PRESENT:

WILLIAM MARKHAM, Esq^r. Leiv^t Governo^r.

Robert Turner, } Esq^r. Pat. Robinson, Secry.
William Clark, }

No bussines presenting, The Councill was dismiss.

[27th February, 1693-4.

Att a Councill Held att philadelphia the 27th of February, 1693-4.

PRESENT:

WILLIAM MARKHAM, Esq^r., Leiv^t Governo^r.

Robert Turner, } Esq^r. Lacy Cock, Esq^r.
Wm. Salway, } pat. Robinson, Secrie.

Robert Owen and divers others of the Inhabitants beyond Skuillkill, in this province, appeared befor the Leiv^t Governo^r and Councill, and signified to ym that they had a propertie in the boat Latelie seized by their order, and that their transporting ymselves therin over Skuillkill, proceeded not in the Least from anie Contempt to the authoritie of the province, and therfor Requested that they might have their boat returned to them again, & that for their more easie Coming to their meetings, fares & marketts, & to the election of representatives to serve in the ensuing assembly, they might be permitted to transport ymselves therin.

Upon Consideraon wherof, & y^t the sd Inhabitants might not pretend that by the detention of the sd boat they wold be hindred from coming to the sd election, It was ordered by the Leiv^t Governo^r & Councill, that the sd boat should be by the sheriff delivered back to them, & that the owners yrof might transport, or cause ym selves to be transported therin, without taking anie monie or other reward therefore, untill such time as his Excellie the Chief Governo^r, should come hither, to whom they referred the full hearing & determining of the whole affair. For which the said Inhabitants returned to the Leiv^t Governo^r their Heartie thanks.

[24th May, 1694.

Att a Councill Held att philadelphia the 24th day of May, 1694.

PRESENT:

His Excellencie BENJAMIN FFLETCHER, &c.

WM. MARKHAM, Esq^r, Leiv^t Governo^r.

And ^r Robeson,	} Esq ^r .	Wm. Clarke,	} Esq ^r .
Rob ^t Turner,		Geo. foreman,	

The petion of Breta Jonson was read, Setting forth that shee is the widow of derick Jonson, who was executed for the murder of a man, &c. wherby his estate, reall & personall, became forfeited to their Maties, But by the Clemencie of the Leivt. Governo^r, the petition^r was ordered one moiety yrof, for her and children's subsistence, but Could not gett possession of anie of the movables, onlie the moitie of the Land and house, and is now in a verie Low condition, having three children to maintain; And therfor, Requesting his Excellie to Consider her con-dion, & reverse the judgm^t which was executed on the other moiety of the Land, and in his clemencie & charitie, Order the restoraon of the moiety which is not in her possession, for a further support to her pre-sent necessities. The abov sd petion was referred to Wm. Salway & Geo. forman, esq^r., to report what they Judge proper to be done in answer therto; And they having Reported that by the Law the widow hath a right to half the personall estate, and desired, with the rest of the Councill, that his Excellie will grant the other half for y^e main-tainance of herself and children, His Excellie ordered that the same be granted her for that use, shee paying all reasonable charges and fees.

[30th of May, 1694.

Att a Councill Held att philadelphia the 30th day of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq., Leiv^t Governo^r.

Rob ^t Turner,	} Esq ^r .	Wm. Clarke,	} Esq ^r .
pat. Robinson,		Geo. Forman.	
Wm. Salway,			

His Excellie ordered the reading of the articles exhibited by some of the Inhabitants of Philadelphia ag^t Robert Brett, Clark of the mar-kett, which wer read, and ordered the said Robert Brett should have a Copie therof.

Ordered that a warrant Issue upon Robert Turner, Treasurer, for payment of One Hundred pound to daniell Honon, for his Excel-lie's use.

[2^d June, 1694.

Att a Councill Held att philadelphia the second day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And ^r Robeson,	} Esq ^r .	Wm. Clarke,	} Esq ^r .
Rob ^t Turner,		Geo. forman,	
pat. Robinson,			

The petion of Joseph Brayman, in behalf of himself and wife, The reference therof to Wm. Clark, esq^r., and his report therupon, wer read. The Report in his favour approved, and the petition granted.

[4th June, 1694.

Att a Councill Held att philadelphia the fourth day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

Andr. Robeson,	} Esq ^r .	pat. Robinson,	} Esq ^r .
Rob ^t Turner,		Wm. Clarke,	

His Excellie did offerr that he is desirous to give all just Satisfaction to the people, and therfor proposed to affix placardes, giving notice to all persons that hee hath appointed Tuesday, att eight in the morning for the hearing of anie Complaints made ag^t Rob^t Brett, the Clark of the market, for anie misdemeanors Comitted in the execuon of his office, wher all Complainants & evidences shall have access, which is agreed unto, and ordered accordinglie.

His Excellie did Likewise acquaint the Councill, that hee hath appointed the same time for enquiring into the matter of peter debuc, deceased, which Comes under his Excellie's Cognizance, and desired they would be wittnesses therto.

[5th June, 1694.

Att a Councill Held att philadelphia the 5th day of June, 1694.

PRESENT:

His. Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And ^r Robeson,	} Esq ^r .	Wm. Clarke,	} Esq ^r .
pat. Robinson,		Geo. forman.	
Wm. Salway,			

Robert Brett, Clark of the market, being heard, & manie persons

appearing ag^t him, they made severall misbehaveors appear in the execuon of his office, for which his Excellie discharged him from the said office.

The bussines of peter debuc's will deferred till afternoon.

3 of the Clock, afternoon.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And^r Robeson,
pat. Robinson,
Wm. Salway,

} Esq^r.

Wm. Clarke,
Geo. forman,

} Esq^r.

His Excellie Having ordered the Hearing of what might be offered ag^t the will of peter de buc, deceased, and severall things being offered by sundrie persons, wherin they seem to insinuate there was fraud and Collusion in the making therof, His Excellie did, upon hearing therof, dismiss the people, and desired the Council to give their opinions upon the whole matter, Whether or not the will, which was proved befor the Leiv^t Governo^r, Can be allowed or not; Which being putt to the vote amongst the members of Council, was caried in the affirmative, & his Excellie did allow yrof.

[6th June, 1694.

Att a Council Held att philadelphia the sixt of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner,
Pat. Robinson,

} Esq^r.

Wm. Clarke,
Lau^r Cocke,
Geo. forman.

} Esq^r.

The petition of Waddy Reynolds was read, & Ordered Wm. Clarke, Esq^r. be Impowered to hear and determin the matter of complaint, & to See that the widow & children be not injured, and that an Ord^r Issue forth to the justices of the peace to stopp anie further process in the mean time.

The petion of Mary White was read, and ordered the Justices of the Countie Court deliver her accots, & cause them to be regulated according to the table of fees then established.

[11th June, 1694.

Att a Councill held at philadelphia the yth day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. MARKHAM, Esq^r., Leivt. Governo^r.

And^r Robeson,

Rob^t turner,

} Esq^r.

Wm. Clarke

Wm. Salway,

} Esq^r.

The petion of Mary White was read, qrin shee setts forth that her Husband, deceased, was sheriff of philadelphia, & became bound for the rent of y^e house hyred for the use of the Countie, to be a goal; that the rent of the sd house is not yet paid, and the bond of the sd Jn^o White standing outt ag^t the petition^r, to her great trouble.

Ordered, the Justices of the peace in the Countie of philadelphia, draw a warrantt upon the Countie Collector, to pay the rent due for the said house, and procure the said bond to be delivred up Cancelled, to the petitioner.

His Excellie did acquaint the board that hee did receive informaon Saturaday night, that after the dissolution of the Assemblie, David Loyd, with the Representatives, returned to the place of their sessions, and david Loyd assumed the chair, and said they wer not dissolved until they had dissolved themselves also, and caused some minute to be entred upon record.

His Excellie desired the opinion of the Councill to send for the Clark of the late Assemblie, together with the minutes of their Journall, Which the Councill doe approve of.

Ordered, Jn^o Claypoole, Esq^r sherif of philadelphia, doe forthwith bring the Clark of the assemblie, with the minutes or Journall of their House, befor his Excellie in Councill.

His Excellie did give to understand that the assemblie did insinuate in their Remonstrance, that something in the former Assembly was done in ans^r to the Queen's Letter, produced the act to the Councill, & demanded the opinion of the Councill whether it doth appear that they have given anie thing to ans^r the Queen's Letter.

It is the opinion of the Councill that ther was nothing granted in the first assembly to enable his Excellie to ans^r the Queen's Letter, nor anie thing proposed in the Last Assemblie that could be construed that way.

It is the opinion of the Councill, nemine Contradicente, that his Excellie, the Governo^r, hath proceeded in all matters in this Late Assemblie with great prudence and moderation, and with their Consent and advice, and not otherwise.

The Clark of the assemblie Having brought the minutes or Journall of the Assemblie, It found entered that upon the Governor's request they did adjourn to the Councill chamber, after his Excellie the Governor, had dissolved the assembly In hæc verba is entred. Upon their Return the Speaker Reports that the Governor was pleased to dissolve this house, & it is accordingly dissolved.

The Comrs of the propertie of M^r penn gave in their report concerning the ferrie at Skuillkill, that it is the undoubted right of the

proprietor. His Excellie gave his opinion that they ought to maintain & support the proprietor's right in his ferrie, as they had done formerlie, And ordered a warrant Issue to the keeper of the said ferrie, requiring him to pursue the rules yrof, and a prohibition to all others from offending ag' the said rules, or using anie other ferrie within foure miles distance on either side the river, of the proprietor's ferrie.

The petition of sundry freemen & Inhabitants of philadelphia, Praying that the street upon the bank in philadelphia, of thirtie foot breadth, as the same is agreed upon by the Inhabitants and possessors, under hands and sealls, by Indentures, may be Laid outt, and surveyed and cleared, and afterwards Held and reputed a street of the said Town of philadelphia, by the name of Delaware street. And It is Ordered therupon, that the said street shall be Laid outt & surveyed forthwith, and afterwards, as soon as possible, may be cleared, according to the sd Indentures and agreement, To be Held, reputed and taken as a Comon street of the town of philadelphia, by the name of KINGS-STREET.

[15th June, 1694.

Att a Councill Held att philadelphia the 15th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM MARKHAM, Esq^r., Leivt. Governo^r.

And^r Robeson,
Rob^t Turner,
pat. Robeson,

} Esq^r.

Wm. Clark,
Law^r Cock,

} Esq^r.

His Excelly told the Councill how manifest it is to ym all, How his Excelly has tendered the Queen's Letter to the assemblee, & proposed something to be done by them in ans^r yrto, in a manner agreeable with the principles of the people, & that nothing is done in ord^r y^runto. That the Queen's Letter is directed to his Excellie & not to the assemblee, Therefore desires the advice of the board, If it be not proper for his Excelly to array the whole province and detatch att Least fiftie men for the assistance of albanie, or if ther be anie other way Left his Excellie to answer the sd Letter since the assemblee have shutt their purses ag' the king.

Resolved, the Councill doe draw up their answer to his Excellies proposall in writting, und^r their Hands.

His Excellencie, with advice and Consent of the board, did sign a proclamation for the encouragment of the proprietor's ferrie over the Skuillkill.

[26th June, 1694.

Att a Councill Held att philadelphia the 26th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner,
pat. Robinson,

} Esq^r.

Wm. Salway,
Law^r Cock,
Geo. forman,

} Esq^r.

Ordered a warrant Issue to the Receiver Generll, for the paym^t of the whole Amount of the Tax raised by the pennie in the pound, granted by the assemblie, anno 1693, to Andrew Robeson & patrick Robinson, Esq^r., who are by his Excellie appointed to dispose y^t of as his Excellie shall direct, for y^t maties Service.

His Excellie did Recommend to the Leiv^t Governo^r and Councill the care of the Government during his absence, that they will endeavour the peace and prosperitie y^t of, and heall the divisions & Controversies that may happen amongst the people. Soe bid them farewell.

[6th July, 1694.

Att a Councill Held att philadelphia the Sixt day of July, 1694.

PRESENT:

COLL. WM. MARKHAM Esq^r., Leiv^t Governo^r.

And^r Robeson, }
Rob^t Turner, } Esq^r.

Law^r Cock, }
pat. Robinson, } Esq^r.

The Leiv^t. Governo^r acquainted the Councill That the occasion of his calling them together was, that yesterday Lacey Cock, Esq^r. informed him that the Delaware Indians were come down to discourse him.

Hithquoquean, kyanharro, Shakhuppo, Oriteo, Menanzes, Mohocksey, Tamanee, Alemeon, with severall others of the Delaware Indians, were admitted.

Hithquoquean (in name of the rest of the delaware Indians) took outt and Laid down a Belt of Wampum, which hee said was sent to ym by the Onondages & Senekaes, who say, you delaware Indians doe nothing but stay att home & boill yo^r potts, & are Like women, while wee Onondages & Senekaes goe abroad & fight ag^t the enemye. The Senekaes wold have us delaware Indians to be ptners w^t ym to fight ag^t y^r french, But wee having allwayes been a peaceable people, & resolving to Live so, & being but week and verie few in number, cannot assist ym; & having resolved among o^rselves not to goe, doe Intend to send back this their belt of Wampum. Mohocksey said: The former belt sent by the Onondages & Senekaes, is sent to us all, & wee have acquainted one another w^t it, & tho' wee live on the other side of the river, yet wee reckon o^rselves all one, becaus wee drink one

water. Wee have had a Continoued friendship with all the Christians & old inhabitants of this river, since I was a young man, & are desirous to Continou the same soe Long as wee Live; And gives a Belt of Wampum.

Tamaneé said: Wee and the Christians of this river Have allwayes had a free rode way to one another, & tho' sometimes a tree has fallen across the rode yet wee have still removed it again, & kept the path clean, and wee design to Continou the old friendship that has been between us and you; and gives a Belt of wampum.

The Leiv' Governo' said, That by three of the Clock in the afternoon hee wold consider & give ym an answer.

3 a clock afternoon, præsentibus ysdem; except Andrew Robeson.

Law' Cock, Esq'. acquainted the Lt. Governo' that kyanharro & Oriteo, two Susquehanna Indians present, had something to say, and in respect they could not be understood, desired Menanzas to speak for ym.

Menanzas sayes, That a certain Indian king (being kyanharro's old acquaintance) having Come from the Cayogues to kyanharro's house to see him, and on his way the sd king and his kyanisse Indians had some mischance befallen ym, for the Titwa's, the naked Indians, fell upon ym; But the sd king & his kyanisse Indians fought their way through ym & gott to kyanharro's house, where they desired to remain & be entertain'd in a peaceable Countrie. Menanzas in their name gives six deer skins. To whom kyanharro replied: You are of my blood; I cannot denie you, but must receive you; and the sd kyanisse Indians desired that kyanharro wold speak with the Christians that they wold receive ym with the same kindness as hee did, and y^t as they are here protected by the Christians, the sd kyanisse Indians hope to meet with the same protection. Gives six doe skins.

The Leiv' Governo' acquainted those Indians that on the 4th instant, Jn^o Budd informed him that an Indian king of West Jersey, with other Indians of this place, told him that from a meeting they Latellie had within 25 miles of this governmt, they brought two belts of wampum & delivred ym to Capt Cock, to present ym to his Excellly in ord^r to a treatie for confirming their former Leaue with the English; that they complained that they had severall dayes delivred in their belts & could have no hearing, but wer putt off by promises that they should be heard one day after another. They tarried in town eight or nine dayes, & that about thirteen dayes since Mohoksey's son came here & acquainted him, the sd Budd, that hee was sent to see if the philadelphians could give him a good word back; And that about ten dayes since the sd Informant being att peter Stallcupp's house, in Newcastle County, said Stallcupp told him that an Indian called Nescacatho, then informed an Indian king named Awahelah, saying Verie ill news, (repeating it again,) & said you know that from such a meetting wee sent two belts of wampum in ord^r to a treatie, But the Go^d of

newyork wold not treat with us, & they have had in philadelphia a great number of men, with drums & guns, &c; & the same att New Castle while the Go^r was there, & y^t hee went thence to Maryland, w^t such speed y^t they killed two horses in the way, which things Look w^t a verie ill design; wee believe y^t there is no good meant by the English; there is some speedie matter in hand. The sd Budd further saith y^t Last Moonday hee acquainted Joseph Wilcox w^t the substance of the abov wrttn.

The Lt. Go^r askt the Indians if the sd informaon was true: they ansred it was all false, ther was no such meeting, nor no such design to treat w^t Go^r Fletcher, nor no Hearing askⁿ. And if Mo-hocksey's son or their young men when drunk, told Jn^o Budd anie such thing, hee should not make a storie of it unles hee had had it from their Sachims. Law^r Cock also said, that the two belts wer given him by Tamanee & Hithquoquean, to be kept for ym till they should call for them.

The Leivt. Go^r told M^r Budd, that he was much to blame for giving his Informaon first to the Justices, (who never acquainted him of it, nor of his Informaon,) especially since it concerned the peace of the province in Generall, & for y^t hee came not to him till hee was sent for, and that if hee Comitted the Like again hee should not goe unpunisht, & soe dismist him.

Then the Lt. Go^r (by Law^r Cock, esq^r. Interpreter,) answered the Indians: You did verie prudentlie to Consider well how you entred in a warr w^tout advice & consent of their Maties of great Britain's Chief Go^r here, who is Governor of New york. I heare there are sober & wise men among you, & ther's an old man who cannot come down, who can give you good Counsell, & you must be Considerate in what you doe, for wee have enemies round about us.

It's but of Late that wee took up armes, & I assure it's not o^r design y^by to make warr upon you, nor upon any others; but thereby to be in a Capacitie and readiness to defend o^rselves and you from o^r & yo^r Comon enemie the French, if they should happen to assault us or you.

His Excellie the Go^r of Newyork is also Chief Governo^r, & came hither to see what men and monie hee could raise for the defence of Albanie the frontiers from the French & Indians; Hee caried some monie with him but suffered o^r men to stay att home to defend ymselves & their Countrie ag^t the french. While here He enquired how o^r Indians and wee Christians agreed; We answered that for manie years wee had Lived as brethren. He desired wee might Continou our friendshipp, for said hee, The enemie of one is the enemie of both. The Leiv^t Governor also said: If the Senekaes send again to you doe you send to me, and Ile send an express to Newyork, and His Excellie will take care that the Senekacs shall doe you no Injury. Soe they all departed, verie well satisfied with the Lt. Governor's answer.

[2^d August, 1694.

Att a Councill Held att philadelphia the 2^d day of August, 1694.

PRESENT:

COLL. WILLIAM MARKHAM, Esq^r. Leiv^t Governo^r.

And ^r Robeson,	} Esq ^r .	Pat. Robinson,	} esq ^r .
Rob ^t Turner,		Wm. Clarke,	

The Lt. Go^r produced to the Councill an ord^r to him from his Excellie the Chief Go^r, Requiring him upon receipt yrof, y^t hee Cause Charles Sanders, esq^r. to be Sworn one of the Councill of the province of pennsylvania & Countrie of Newcastle; Which was accordingly done: And the sd Charles Sanders having taken the oaths appointed by act of parliament to be taken in stead of the oaths of allegiance and Supremacie, & subscribed the Test, Took his place att the board accordinglie.

10th August, 1694.

Att a Councill Held att philadelphia the 10th of August, 1694.

COLL. WILLIAM MARKHAM, Esq^r. Leiv^t Governo^r.

And ^r Robeson,	} Esq ^r .	Law ^r Cock,	} Esq ^r .
Rob ^t Turner,		Geo. forman,	
pat. Robinson,		Charl. Sanders,	

William Clark, Esq^r. exhibited an Informaon to the Leiv^t Governo^r & Councill, setting forth that att a Councill held att philadelphia on the 10th of aug^t, in the sixt year of y^r Maties reign, before the Lt. Go^r & the rest of the members of their Maties Councill, personally appeared the sd Wm. Clarke, esq^r, Collector of their Maties Customes in the sd province & Territories, who (as well on the behalf of y^e king & Queen as of his Excellie, the Governo^r of y^e sd province, as also on the behalf of the sd Wm. Clarke,) in this Case prosecutes, gave the Councill to understand & be informed y^t hee, the sd Wm. Clark, had on y^e 21st of July Last, att Lewis, in Sussex Countie, in the Countrie aforesaid, seized on sundrie goods, wares, Comodities and merdizes imported thither, of the growth, production or manufacture of Europe, wch were not bona fide & without fraud laden & shipt in England, Wales, or y^e Town of Barwick upon Tweed, & in English built shipping, or wch were bona fide bought before the first day of October, 1662, & wherof the M^r & three fourths of the mariners att least, are English, & caried directlie thence to y^e Lands, islands, plantaons, Territories & places to their Maties belonging in Asia, Africa or America, Tangier onlie excepted, and from no other place or places whatsoever: As also, that hee, the sd Informant, had Likewise seized on sundrie other goods & merdizes for which their Maties Customes & duties were not dulle & trulie paid, (the particulars yrof

are, viz: One small bale of fine Linnen, 2 baggs of Cocco nutts, 14 peices painted Callico's, 14 peices Strypt Linnen; 2 peices of figured Linnen & woollen, 2 peices of Strypt Linnen & woollen, One Remnant of ferrandine, 15 Cards of Lace, One bagg of Cinamont, 15 papers of silk, 13 peices of Holland or white Linnen, One Remnant of alamode Silk,) Contrarie to the Laws and Statutes in that Case made and provided: And therefore, the said Informant Craves the Judgment of the Councill ag^t y^e s^d goods and merdizes, & whether they ought not to be forfeited & disposed of, according to the direction of the aforesaid acts of parliam^t:

WM. CLARK.

After reading yrof appeared George parris, owner of the sd goods, who had nothing to say for his owne defence nor in defence of the sd goods, And therefore, Judgm^t past ag^t the sd goods, wares, and merdizes, that they were forfeited, and that they should be disposed of according to Law.

Ordered that the Secrie Issue a warr^t to George Heathcote, philip Richards, & Jn^o Whitpain, Mertz, or any two of ym, forthwith, upon their oath or attestaoⁿ, to apprise & Value the sd goods, & to make return yrof into the secries office, wch was accordinglie done: And which apprizers made Return of the sd warr^t into the sd office, & valued the same att eightie-two pounds monie of this province, as the sd warr^t & return yrof, und^r the hands & sealls of y^e sd philip Richards & Jn^o whitpain remaining on the files of Councill, more att Large report.

Att the same Councill, psentibus ut antea & Wm. Clark.

A Lett^r from Jn^o Brinkloe, Geo. Martin & daniell Jones, esq^r., Some of the Justices of peace for the Countie of kent, dated 4th Aug^t, 1694, was read, qrin they Signifie to the Lt. Go^r y^t att the time when their Last Courts of quart^r sessions & Comon pleas should have been held, according to their Last adjournment, The sd Geo. Martin & daniell Jones appeared att the place appointed, & wer willing to hold Court, but Jn^o Curtis, another of the Justices, wold not sitt, & Jn^o Betts, another Justice, sent word by a Constable y^t hee wold never sitt there, meaning att James Maxwell's, att the Head of Jones's, wherfor they look on y^r Comission void; And there being severall actions of moment depending, they request the Lt. Go^r to give new Comissions. The Lt. Go^r desired the advice of the Councill therin.

It was the Unanimous Opinion of the Lt. Go^r & Councill, that his Excellies Comission, both for the Quart^r ss. & Comon pleas to y^e sd Countie of kent, are in force, notwithstanding the sd Justices neglect.

Resolved, that an ord^r be sent to the Justices of y^e peace of the sd Countie of kent, from the Leiv^t Governo^r, to hold their Courts accord- inglie.

Ordered that the provinciall Judges in their next Circuit, doe Inspect and Inquire into the disorders in the Countie of kent, in references to the times & places of holding their Courts, & to see what may be the most proper place in the sd Countie to hold their Courts in, for the most Universall ease of the sd Countie, and to make report to the Leiv^t Go^r & Councill.

The necessitie of a provincially Judge in the room of Jn^o Cann, Esq^r. deced, was urged to the Lt. Go^r., there being manie appealls depending to be tryed in 7br next, which if delayed to be tryed would give occasion of Complaint.

THE Leiv^t Governo^r named Anthonie Morris, esq^r. a fitt person to discharge y^t trust, which was agreed to by the Councill, & orders hee should take the oaths & test next sitting of the Councill, & y^t a Comission be prepared for him.

4th Decemb^r, 1694.

Att a Councill Held att philadelphia the 4th day of december, 1694.

PRESENT :

WM. MARKHAM, Esq^r., Livet. Governo^r.

Rob^t turner, }
pat. Robinson, } Esq^r.

Law^r Cock, }
Charles Sanders, } esq^r.

Upon reading the petion of Andree doze & others, setting forth that they having obtained two Judg^{ts} ag^t Sam^l peres, for 139l & 10l damages, w^t cost of sute, & y^t y^e Lt. Go^r Having putt a stop to the execuon till his Excellies pleasure should be further known, yrfor requesting y^e Lt. Go^r would decide the bussines according to his Excellies directions, to prevent their ruine,

It was ordered y^t the sd Sam^l peres should give fresh securitie to the petitioners in 300b. to satisfie and pay ym all such sums of monie, costs, damages & charges as hee should be adjudged to pay, & to be Condemned in by the sentence of the Leiv^t Go^r and Councill upon the sd appeall, who accordinglie became bound with Sam^l Holt, by obligacon bearing date 4th decemb^r, 1694, in y^e sd sum of 300lb, & y^e as full a Councill as could be gott be Sumoned for decyding y^e sd matter.

25th December, 1694.

Att a Councill Held att philadelphia the 25th day of december, 1694.

PRESENT:

WM. MARKHAM, Esq^r., Leivt. Governo^r.

Rob^t Turner, }
Lacey Cock, } Esq^r.

pat. Robinson, }
Ch. Sanders, } Esq^r.

The Lt. Go^r produced to the Councill an ord^r to him from His Excellie the Chief Governo^r, requiring him upon receipt yrof, that hee Cause Griffith Jones, Esq^r. to be sworn one of the Councill of y^e province of pennsylvania & Countrie of New castle, wch was accordinglie done: and the said Griffith Jones having taken oaths appointed by act of parliam^t to be taken in stead of the oaths of allegiance & Supremacie, & Sub^t the test, took his place att the board accordinglie.

Sam^l peres appearing before the Lt Governo^r & Councill, did exhibit to ym a receipt und^r y^e hand & seal of Andree doze, for himself & as attornie for Jeffrey Martin, Mathurin Sampson & peter Moreau, q^uin hee released & discharged him, y^e sd Sam^l peres, from all legacies left unto ym by peter debuc, & from all suits, Judgments or executions by ym, or anie of ym, obtained ag^t him, and from all sums of money, debts, dues, Legacies, costs of suits, either in Law or equitie, or anie other demands whatsoever, from the beginning of y^e world to the day of the date hereof, being y^e 22^d day of decemb^r. 1694, & Sealed & delivred in presence of david LLOYD & Jn^o Claypoole, & acknowledged upon the back y^rof to be the act & deed of y^e sd Andree doze, before pat Robinson, Secrie, And y^rfor Requesting his bond of 300lb to be delivred up to him Cancelld: Which was accordinglie done.

The Secrie exhibited to the Lt. Go^r & Councill the Copie of the record of the provinciall Court held for & in kent Countie, the 9th, 10th & yth dayes of Octob^r, befor Wm. Clark, Edward Blake & Rich^d Halliwell, esq^{rs}., making mention y^t an ord^r from the Leiv^t Go^r & Councill being read, for the provinciall Judges to inspect & Inquire into the disorders of the sd County of kent, in reference to y^e time & places of holding their Courts, & to see what might be the most proper place in the sd Countie to hold their Countie Courts in for the most Universall ease of the sd Countie.

THEir Report (in ans^r to the minute of Councell the 10th of aug^t., 1694,) was, That the matter being largelie debated by the Judges & Justices of the sd Court, the grand Jurie, & severall persons of the sd Countie being then present, It was Unanimouslie agreed upon that for the future the sd Countie Courts should be held & kept on some part of y^e Land belonging to Wm. Southersby, situate on the south side of the Head of dover river, wch is next adjoining unto david Morgan's Land, And that the absolute decree & Sentence of the sd Judges was accordinglie, & that it be as near a Landing as may be, and there the same to Continue.

PROVINCE OF PENNSILVANIA & COUNTRIE OF NEW-CASTLE, 10 APRILL, 1694.

Minutes of Councill in the Assemblie; Anno R. Ret. Ræ.

Willielmi et Mariæ, Num Angliæ Sexto.

Att a Councill Held att Philadelphia on Tuesday the 10th day of Aprill, 1694.

PRESENT:

COLL. WM. MARKHAM, Esq^r., Livet. Governo^r.

Andrew Robeson, }
Rob^t Turner, } Esq^r.
Wm. Salway, }

Wm. Clarke, }
George Forman, } Esq^r.
pat. Robinson, Secrie.

His Excellie Benjⁿ Fletcher, the Chief Governor's Lett^r to the Leiv^t Governo^r and Councill, bearing date the 26th of March Last was read, which is as followes, Viz:

"Gentl., I did resolve to meet you & the Assemblie the 10th of Aprill next att philadelphia, and was to sett out from hence to morrow Seven-night, but that by Later intelligence from Albanie, I am advised of other messengers from Canada come to draw over o^r Indians, as is pretended, to hold a Conference with Count Frontinac, concerning peace, Wherupon o^r Sachems are verie desirous forthwith to see mee thither. The Councill being of opinion that this Service is first to be attended, I think fitt to adjourn the Assemblie of pennsylvania and Newcastle to the first of May next ensuing, And require the Leiv^t Governo^r by these pnts, to adjourn the sd Assemblie to the first of May next accordinglie. I shall endeavour to be with you then. I desire the Representatives of the remoter Counties to be Imediattlie wrote unto not to give themselves the trouble of Setting outt too soon; The rest may meet the tenth of Aprill, be sworn or attested, and then adjourned. Gentl. I am your verie Loving friend.

"BEN: FFLETCHER."

The persons returned for representatives, Viz: Foure for the Countie of philadelphia; Samⁿ Richardson, Samⁿ Carpenter, Henrie Waddey and James flox. Three for the Countie of Chester; David LLoyd, Caleb pussey, & Samⁿ Lewis. Three for the Countie of Bucks; William Biles, phinhas pember-ton, and Jonathan Scaife. Three for the Countie of Sussex; wherof appeared Thomas pember-ton and Roger Corbett, came to wait on the Leiv^t Governo^r and wer admitted.

The Last two took the Oath appointed by act of parliament to be taken insted of the oaths of Allegiance and Supremacie, and subscribed the Test. The other ten did Subscribe the declaraon of fidelitie and profession of the Christian faith, and test.

After which the Leiv^t Governo^r desired them to goe together and Choose their Speaker. Some time after David LLoyd, accompanied by the above Named Representatives, presented himself to the Leiv^t Governo^r, acquainting him that the representatives there present had made Choice of him for their Speaker, that it was a trust much above his Capacitie, and for discharge wherof hee wast most Unfitt & unable, And therfore beseeched the Leiv^t Governo^r wold Comand the Representatives to return and Choose a more qualified person.

The Leiv^t Governo^r answered, that if they had Chosen anie one of their Number for their Speaker, Hee saw no reason to Object ag him; But you all know some are more capable to perform that dutie than others, and I cannot but well approve of yo^r Choice, and doubt not M^r Speaker, but you will perform yo^r dutie with all sinceritie, and keep a good decorum in the house, and that you'll urge and putt them in mind to a Consideraon & dispatch of what shall be before you of their Maties affairs and Service, and their duties therto.

Therafter M^r Speaker desired they might have the Ordinarie privileges granted them, Such as free access to the person of the Leiv^t.

Governo', A favourable Construction putt upon their words, and freedom from arrests.

The Leiv' Governo' made ans', that hee granted them all these as freele & ampie as had been usuall.

Then the Leiv' Governo' told M^r Speaker and the Representatives, That his Excellie the Chief Governo', did intend to have mett them here this day, but was prevented by an express from Albanie giving him Intelligence of other Messengers come from Canada to draw over their Indians, as is pretended, to hold a Conference with Count Frontiniac, concerning a peace, wherupon the Sachims were Verie desirous forthwith to See his Excellie att Albanie, and wold bring the messengers along w^t them thither, The Councill of New york being of opinion that this service was first to be attended. And therfore, his Excellie thought fitt to adjourn this assemblie to the first of May next, and required me to adjourn the same accordingly. The Leiv' Governo' further added, That the affair his Excellie was gone about was of verie great import to this province; as well as to that of New york, and that our future saftie in our persons, estates & trade, did much depend upon the prosperous event of his Excellies going to Albanie, & therfore hoped they wold be well satisfied; that his Excellies absence att this time was Inevitable.

M^r Speaker desired, That they might have untill five of the afternoon, In regard the whether was bad & the wind ag^t the members of Newcastle, who, as they wer informed, wer coming up by water. Which was granted.

Att five the assemblie came again. Then M^r Speaker desired that they might have time till to-morrow morning to consider of some petitions Sent them by the Counties whom they did represent, who wold take it ill if in some measure they did not answer their expectations.

The Leiv' Governo' desired them to withdraw a Little and hee wold consider of it with the Councill; Wher it was resolved, That in respect the provincially Judges wer to sitt next morning, that it was fitt the assemblie should meet the Leiv' Governo' to morrow, at three in the afternoon.

The Representatives having been called by the messenger, returned, and the Leiv' Governo' gave them time till to morrow, att three in the afternoon, & appointed them to meet him at that time.

[11th April, 1694.

Att a Councill Held att philadelphia on wednesday the 11th day of April, 1694.

PRESENT:

COLL. WILLIAM MARKHAM, Esq^r., Leiv'. Governo'.

Rob^t Turner,
Wm. Salway,
Wm. Clark,

} Esq^r.

George Forman, Esq^r.
pat. Robinson, Secre.

The above named representatives appeared. M^r Speaker told the

Leiv' Governo' that they had considred of what yesterday hee had Laid befor ym, & that they had taken a Longer time than they expected to Consider of severall things, and particularlie the amending of severall errors and mistakes that had been comitted by the Last Assemblie, by reason of his Excellies hast to be gone Last year to the fronteers, and that hee promised them that if anie thing wer amiss, or error in Clarkshipp, it should be amended.

The Leiv' Governo' answered, that it wold not be Long befor his Excellie wold be here, and that then that wold properlie come und' consideraon.

M^r Speaker said, that the Law about Stealing was in the List of Laws proposed by the Assemblie in their petition of right, to be continued, & yet was ommitted by their Clark to be engrossed in the roll of Laws signed by the Chief Governo', and yrfor requested that that Law might be added to the sd roll, especially since for want yrof, people might be exposed to a triall for their Life for every small & trifling theft.

The Leiv' Governo' answered; that the reason why that Law was not continued was becaus his Excellie Lookt upon it to be repugnant to the Laws of England.

M^r Speaker said, that att the conference Last year held by some of the members of Councill & assemblie, they endeavoured to reconcile that Law to y^e Law of England, & to show that it was not repugnant.

The Leivt. Governo' told ym that hee had wrote to his Excellie about that Law to be continued; and his excellie in his ans^r, put the Judges & Justices in a way which wold effectuallie take off anie danger that the people might be in for want of the sd Law: And the Leiv' Governo' further added, that since they wer to be adjourned, He intended not to medle with Legislation; and if they wold have anie Law that might be beneficiall for the province, They might propose it to his Excellie when he came, & hee doubted not but his Excellie wold give ym full Satisfaction.

M^r Speaker said, that their Clark was drawing up something to present to the Leiv' Governo' & Councill, which hee desired them to consider off, and that it wold be quicklie readie.

The Leiv' Governo' told them that his Excellie was positive to him to adjourn ym.

M^r Speaker desired to see the Order, if it might be.

The Leivt. Governo' answered that hee had such orders, and that they must take his word for that.

M^r Speaker desired that if they must be adjourned that it might be to a Longer day than the first day of May next, In respect the yearlie meeting att Salem was to begin the 27th of Aprill, and that the representatives wer desirous to be there, and other conveniencies to the members of the Lower Counties, which the Councill was not Unacquainted with, and therfor, that it might be to the 20th of May next.

The Leivt. Governo' desired them to withdraw a Little and hee would advise with the Councill about it; which they did.

The Leiv' Governo' caused read his Excellies Letter the second time, and upon the whole, did putt it to the vote whether it was Convenient to adjourn the Assemblie to a further day than was mentioned in his Excellies Letter, and it was caried in the affirmative.

A member of Councill mentioned the tenth day of May; others desired that it might be Longer; And the 20th of May falling on a Sunday, The Leiv' Governo' did put it to the vote whether to adjourn the Assemblie to the tenth or 22^d of May next, and it was caried to the twenty second.

The Representatives again appeared, and M^r Speaker presented to the Leiv' Governo' and Councill a Remonstrance in these words:

"To the Leiv' Governo' and Councill of the province of pennsylvania, Countrie of Newcastle, & the territories therto belonging. The Remonstrance of the Representatives of the ffreemen of the sd province & Countrie in Generall Assemblie mett, Humble Sheweth: That whereas, wee being att this time Conveened by Virtue of the "Leivt. Governo^s writts, which gave us no other expectation but "that wee might proceed in Legislation & redressing the grievances "of the people whom wee represent; But since wee are given to understand that Governo' fletcher, by reason of some emergencie, is "prevented of being present at this Assemblie, and so it seems gave "ord^r to this effect, That as soon as wee wer put in a capacitie of "acting as an Assemblie, wee must be adjourned befor we can accomplish the Countries bussines, Which wee Conceive to be not "onlie inconsistent with the tenure of the sd writts, & the necessarie "priviledges of a Legislative Authoritie, but also, with the powers "granted our Leiv' Governor by the king & Queen's Letters patents; "Therefore, wee desire you take it not amiss If wee so farr Assert "our priviledges as to adjourn our Selves, in Case you think not fitt "in the Chief Governor's absence to proceed according to the writts "aforesaid, in ord^r to make Laws, & to redress the agreivances of "the sd Countrie, Some of which are as follows:

"1st. That wee have not the Catalogue of the Laws, with the pre-
amble to them, and the Governor's approbaon of ym, which wer
declared by the petition of Right in the Assemblie Last year to be in
force, that Justice may be administred according to the sd Laws in
the Severall Courts of Justice in this province & Countrie.

"2^d. That the Late Law for appeals, which gives Libertie to ap-
peall both in Law & equitie, Wherby the Judges and Justices of y^e
peace have too great Libertie to destroy or make void the Verdicts
of Juries, without due care be taken; Wherfore, wee desire that the
Judges and Justices of y^e peace may receive instructions & Caution
from you not to decree anie thing in equitie that may make void the
Verdicts of Juries, or Judgments before given in Law, in the same
Cause.

"3^d. That the power given by the Late Law for raising money by
the Justices of the peace in their rexive Counties, may not be made
use of to the dissatisfaction of the Countrie, But that the Justices
may be Cautioned that what monie is raised to defray the publick
charge of the Countrie, may be done by the approbaon of the grand

“Jurie, or other Sufficient Inhabitants of the severall Counties, to assist in and approve the severall taxes to be raised, and to have the Hearing & examinaon of the accompts of the severall receipts & disbursments.

“4th. That the omissions in the Late Laws by the Clark appointed to transcribe ym, may be Corrected, and the Laws, or such parts of the Laws as are Left outt, may be entred in the roll of Laws.

“5th. That the monie granted to be raised the Last Assemblie, for the support of this government, may be accordinglie Employed to the use it was intended, & that an accompt therof be given att the next Sitting of Assembly, according to the true intent of the said act and makers therof.

“philadelphia, the 11th 2 mth, 1694. Signed by order of the house, by DA. LLOYD, Speaker.”

Which having been read, The Leiv^t Governor desired M^r Speaker to take it again, & att the next sitting of Assemblie they might offer that, or anie thing else, to his Excellencie’s consideraon.

M^r Speaker answered, that hee had orders from their house to present that Remonstrance to the Leiv^t Governo^r, but had no orders from them to take it again.

Then the Leiv^t Governo^r said: M^r Speaker, The Councill having taken into their cansideraons the reasons for yo^r desire to be adjourned till the 20th of May, which will fall on a Sunday, They have advised and Consented that you should be adjourned to the 22^d of May next; And accordinglie, I doe adjourn you to the sd day, Hopeing to meet again att that time as good friends as wee part. So, gentl., I wish you well to yo^r homes.

M^r Speaker. Wee thank the Leiv^t Governo^r; & departed.

[21st May, 1694.

Att a Councill Held att philadelphia on a Moonday, The 21st of May, 1694.

PRESENT:

His Excellencie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

Andrew Robeson,
Robert Turner, } Esq^{rs}.
patrick Robinson, }

Wm. Clark,
Lawrence Cock } Esq^{rs}.

His Excellie did Signifie to the Councill that hee had Sumoned ym to Consider of what is proper to be offered to the Assembly for their Maties’ service. It is the opinion of the Councill that no monie will be granted.

Adjourned till to-morrow morning.

[22^d May, 1694.

Att a Councill Held att philadelphia on a Tuesday the 22^d of May, 1694.

PRESENT :

His Excelly. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leivt. Governo^r.

Andrew Robeson,	} Esq ^r .	Wm. Salway,	} Esq ^r .
Robert Turner,		Wm. Clarke,	
pat Robinson,		Geo. forman.	

The rest of the Representatives that wer not attested, nor had taken the oaths & Test, Viz: Richard Hallywell, Henry William & Jn^o Donaldson, for the Countie of New castle, took the oaths appointed to be taken in Stead of y^e oaths of allegiance and Supremacie, and subscribed the test. John Brinckloe & Richard Wilson, for the Countie of kent, and Luke Watson, for the Countie of Sussex, did the same. Edward Blake & Wm. fireman, for Newcastle & kent Counties, did subscribe the declaraon of fidelitie & profession of the Christian faith, & Test.

Adjourned till to morrow morning.

23^d May, 1694.

Att a Councill Held att philadelphia on Wednesday the 23^d of May, 1694,

PRESENT :

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM Esq^r., Leivt. Governo^r.

Andrew Robeson,	} Esq ^r .	Lawrence Cock,	} Esq ^r .
Robert Turner,		William Clark,	
Pat. Robinson,		George Forman.	

His Excellie Ordered Seerie Robinson to Call the Speaker and Assembly. The Speaker and Assembly being present, His Excellie spoke to ym as follows:

"Mr Speaker, and you Gentl. the Representatives of this province,
 "I had designed to have mett you here the tenth of the Last mo,
 "according to the writts which I directed to Issue for calling this as-
 "sembly, But their Maties service required my hastie repair to Albany,
 "upon Intimation that the five Indian nations (who have hitherto
 "been faithfull to the Crown of England,) wer now debauched to
 "the french interest, and entring into League with the Governo^r of
 "Canada.

"This Defection appeared to mee with so ill an aspect when I con-
 "sidered the Consequences of it, not onlie to New yorke, but to this
 "province & all the nighboring Colonies, that I thought myself
 "obliged to Lay all other bussines aside, & apply the outtmost of my
 "endeavours to prevent so great a mischief. I could willinglie have
 "spared my self this journie, if my dutie to their Maties & my affec-
 "tions to you, their subjects of this province, had not Compelled me
 "to it.

"I am therefore Come with a true & Unfeigned Zeal for your saffie
 "& prosperitie, to Lay this Matter before you; and in order to your
 "full satisfaction, I have brought with me the papers relating to the
 "Conference I had Latelie with these Indians, by which you may see
 "what they alledge. I must also assure you that yor Indians here
 "will be compelled to join in this fatall Confederacie.

"I have Latelie seen, with a heavie heart, fourescore fine farms
 "all deserted about Albany, after the great expence of the owners in
 "building & Improving, which has been occasioned rather by the
 "unkindness of our Nighbours, who refused us their assistance, than
 "by the force of the enemie. Could we have found men to secure
 "our advance posts, Conestiguna and the Half Moon, these farms
 "wold have flourished still. I pray God this Leprosie may spread no
 "farther; but I much doubt those who have shutt their eyes att a
 "distant danger, will find it come to their owne doors.

"I am bound, as well in Justice as gratitude, to acknowledge our
 "Nighbours of the Jerseys have done more in the Comon defence than
 "all the other adjacent provinces: they sent us foure Hundred pound
 "in Silver, Sixty odd proper men, well armed, who passed upon dutie
 "on the frontiers one year. They have now sent up thirty men att
 "their owne Charge, and Consided of a way for their maintainance
 "during the warr.

"Gentl., I consider yo' principles that you will not Carie arms
 "nor Levie Monie to make warr, though for your own defence, Yet I
 "hope you will not refuse to feed the Hungrie and Cloath the Naked.
 "My meaning is, to supply those Indian nations with such necessa-
 "ries as may influence them to a Continouance of their friendship to
 "those provinces. And now, Gentl., If you will consider wherin I
 "may be useful to you, according to the Tenor of my Comission, in
 "redressing yo' greivances, (if anie you have,) you shall find me
 "readie to act by the rules of Loyaltie, with a true regard to Libertie
 "& propertie."

Major John donaldson, Sam^l Richardson, & Capt. Luke Watson,
 from the representatives, desired the Copie of his Excellie's Con-
 ference with the Indians of the five Nations att Albany, for the per-
 sall of the House, which are ordered them accordingly.

Major donaldson, with foure others of the Assemblie, in behalf of
 the house, did give his Excellie thanks for his favorable speech, &
 desired they may have a Copie of it, which his Excellie ordered to
 be delivred so soon as Copied.

Andrew Robeson, Rob^t Turner, Wm. Clark, & Wm. Salway,
 Esq^r., are appointed a Committee of the Councill, to Inspect the exe-
 cuon of the act of assemblie granting to their Maties the rate of One
 penny in the pound, to Calculate the amount yrof, how much paid,
 how much in arrears, the Nett value in Newyork monie, and in
 Sterling monie of England, and what may be the most proper me-
 thods to be used for gathering in the arrearages forthwith, and to
 make report to his Excellie in Councill to-morrow afternoon.

Adjourned till to-morrow morning.

[26th May, 1694.

Att a Councill Held att philadelphia the 26th of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

W^m. MARKHAM, Esq. Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner, } Esq^{rs}.
pat. Robinson,

Wm. Clark,
Geo. forman, } Esq^{rs}.
Lacy Cock,

The Speaker and the whole house attended his Excellie.

The Speaker did address his Excellie, Saying, that the house had appointed a Committee to Consider of amendments in the Laws past, & desired to know of his Excellie if those Laws wer confirmed by their Maties, or disapproved.

His Excellie was pleased to Answer that hee had received no Letter from Court Concerning them, but understood from a private hand in England that manageth some bussines there for the province of Newyork, that the Laws of Newyork and his other government are befor the attornie generall, being referred to him for his perusall.

The Speaker did present some greivances, which his Excellie promised to take into Consideration, with the advice of the Councill, and to remove anie greivance that Lay in his power to doe; and for amendments of Laws, that hee should be glad they wold all study amendment in Laws & everie thing else.

His Excellie ordered the reading of the proceedings att Albany with the Indians, in the beginning of this Mo.; which was accordinglie done.

Adjourned till afternoon.

POST MERID.—AFTERNOON.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

W^m. MARKHAM, Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner, } Esq^{rs}.

pat. Robinson, } Esq^{rs}.
William Clark,

The house of Representatives, amongst other greivances, desired that the Clark of the markt in philadelphia may be removed from his office, for severall misdemeanors in the execution therof.

His Excellie in Councill taking into Consideraon that there is no particular charge ag^t the Clark of the Markett, It being his priviledge to hear & ans^r anie accusation which may be brought ag^t him befor the proper Judges,

It is resolved that it is not expedient to remove him from his office until hee be convicted of some misbehaviour to deserve it.

The Representatives having desired that the probates of wills may be done in each Countie, His Excellie in Council did agree, that the wills be proved & administraons granted in the rexive Counties by such persons as shall be appointed for that purpose by the ordinarie.

The Representatives Having also desired that more ferries may be appointed over Skuillkill, His Excellie understanding that the appointment of ferries is the right of the proprietarie, In respect and Justice to the proprietarie, hath referred this matter to the proprietarie's Commissioners, who are desired to make their report therof.

As to the Complaint for seazing the boat & Imprisoning the boatman, It appearing to his Excellie to have been done by ord^r of the Leivt. Governo^r & Council for their proceeding in the ferrie Contrarie to the proprietarie's appointment, & to his Excellies ord^r since; Which is also referred to y^e Comrs of his proprietie.

His Excellie appointed Leivt. Governo^r Markham, Andrew Roberson, pat. Robinson, Wm. Salway & George Forman, Esq^r, a Committee to join a Committee of the Assemblie for the amending the errors of Clarkshipp & ommissions of the Laws Mentioned in the Last year's Assemblie their petion of right, to meet att eight of the Clock Moonday morning, att the old Council room, which was accordinglie done.

The Committee appointed by his Excellie the 23^d of May instant, to inspect the execuon of the act of Assemblie granting the pennie per pound, Reported to his Excellie in Council, that having examined the severall rates of the rexive Counties, did find that in most of the Counties there have been great errors & partialitie Comitted by the assessors in Undervaluing their owne & others estates, wherby the whole amounts but to 760lb. 16s. 2d. monie of pennsylvania; In monie of Newyork to about 700lb; In English monie about 560lb; Which 60lb. may come short in the Sallaries for collecting the same & in Runawayes, So that the Nett produce may be about 500lb. English money.

The Rates of the Severall Counties, with what is paid to the Receiver generall, and what is in arrears.

	L	S	D	L	S	D	L	S	D
Countie of philadelphia,	314	11	11	249	0	0	72	11	11
Countie of Newcastle,	143	15	0	000	0	0	143	15	00
Countie of Sussex,	101	01	9	45	0	0 Ar ⁿ .	56	01	09
Countie of kent, Rated,	88	02	10 paid	61	8	4	26	14	06
Countie of Chester,	65	00	07	58	1	0	6	19	7
Countie of Bucks,	48	04	01	000	0	0	48	4	1
	<hr/>			<hr/>			<hr/>		
	760	16	2	406	9	4	354	6	10

And the said Committee Likewise Humblie offerr to his Excellie in Council, that warrants be forthwith Issued to the rexive Collectors of the severall Counties, requiring them that they speedilie send up the arrears, which was accordinglie order'd.

[29th May, 1694.

Att a Councill Held att philadelphia the 29th of May, 1694.

PRESENT :

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq., Leiv^t Governo^r.

And^r Robeson,
pat. Robinson,
Wm. Clarke,

} Esq^r.

Lawrence Cock, }
Geo. Forman, } Esq^r.

His Excellie proposed to the Councill that since the Assemblie were spending their time and doing nothing in Compliance to what he had offered to them, they be sent for, the Queen's Letter for assisting New york Laid befor them for consideraon, and that they be required to give a positive ans^r; Which is approved of.

M^r Bleake, &c. from the House of representatives, came to ask if his Excellie wold pass two Laws which that house alledge to have been omitted by the Clark Last assemblie, which his Excellie took to consideration.

His Excellie desired the opinion of the Councill, If those two Laws concerning stealing and robberie should pass or not. Caried in the affirmative.

Ordered that M^r Robinson doe Carie back the two Laws to the house of Representatives, and acquaint them that his Excellie is readie to give them such sanction as the rest of the Laws contained in the roll had, And that his Excellie expects they have some regard to what hee had proposed to them, and Commands M^r Speaker and the whole house to attend him in Councill in the afternoon.

Adjourned to 3 a Clock in the afternoon.

POST MERID.

Three a Clock afternoon.

PRESENT :

His Excellie BENJⁿ FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t. Governo^r.

And^r Robeson,
Rob^t Turner,
Pat. Robinson,

} Esq^r.

Wm. Clark, }
Wm. Salway, } Esq^r.
Geo. forman.

His Excellie ordered M^r Jamison to desire the speaker & the whole house to attend his Excellie in Councill forthwith, which was done.

The Speaker and Representatives being present, His Excellencie said: "M^r Speaker & you gentl of the Representatives of this province, "you may Remember that I did desire you to doe something which I "thought needfull for their Majesties service and your own preserva- "tion in a way agreeable to yo^r owne principles, which is to feed the

“ Hungrie and Cloath the naked. The Indians of the five nations are
“ a Barrier and Defence to you & all the English Colonies on this
“ main; your saftie and interest is Concerned; they are poor and
“ naked, and in this time of warr have Lost the Libertie of hunting,
“ which is their onlie support. They are objects of yo^r charitie. I
“ judged it so reasonable a demand as could not admitt of delay. I
“ sent you the minuts of my Last Conference with them for yo^r satis-
“ facon, wherby you may see that although they are brought verie
“ Low and discouraged, yet not so farr gone as to be past retrieve; I
“ know but two methods to be used with these heathen; they are to be
“ held by Love and fear. I have been plain with them, and given one
“ Hundred dayes to Consider of their answer from the time of my
“ Last Conference, then I intend to meet them with the sword in one
“ hand and presents in the other.

“ Gentl. It were verie Convenient you did supplie mee with some
“ Considerable present of cloathing and food to be given in the name
“ of the province of pennsylvania & Countrie of Newcastle: you shall
“ have a particular accompt of the disposition therof. I doe think of
“ other methods to gett forces to appear with me, not to trouble or
“ molest anie of yo^r people; This I take to be the onlie way Left att
“ present to prevent the Indians falling off, and all the Calamities that
“ will attend it in this province, as well as the rest; you have not as
“ yet regarded it, for ought I can Learn.

“ Gentl. You have the Queen’s Letter Comanding assistance to New
“ york, which ought to have greater force than my arguments: I ex-
“ pected her Maties Comands would have so far prevailed. The origi-
“ nall was shown to the Last Assemblie, which I suppose may be
“ entred in yo^r books, or a Copie therof upon file with yo^r Clark. I
“ had no positive ans^r from them, & expect one from you.

“ Gent. You are witnesses that I am readie to serve you, to doe anie
“ thing in my power you can think of for yo^r ease & Satisfaction. I sett
“ up for no arbitrarie Comand, have putt no stranger over you, treated
“ no man rudely, & am as readie to grant what is in my power to serve
“ you as you to ask. I have as great a regard to the interest of yo^r
“ proprietor as anie man in the government, and wold not goe about to
“ hurt it; But I find you slow in bussines, which makes mee think wee
“ shall have no sessions this time. Gentl. Some of you may Remem-
“ ber I proposed to the Last Assemblie to Consider of some fund for
“ the support of the government, which is verie needfull, but they did
“ not think fitt to Consider of it further than that they franklie & ge-
“ nerouslie gave a pennie in the pound to their Maties, and designed one
“ half therof as a mark of their respects to mee, for which I thank ym.
“ I doe Resolve you shall see how the other part of it is disposed & what
“ the whole amounts to befor I leave you; I have Issued Orders for the
“ speedie Collecting of it, and if there is nothing else for you to doe, I
“ will adjourn for some time untill it come in; Therefore, gentl. I shall
“ expect yo^r ans^r If you’ll give anie thing to feed and Cloath our
“ Indians; Consider of it, and of what I have now said. Gentl. you
“ may withdraw to yo^r House.

Adjourned till 30th instant.

[30th May, 1694.

Att a Councill held at philadelphia the 30th of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv' Govern^r.

And^r Robeson,

Rob^t Turner,

pat. Robinson,

} Esq^r.

Wm. Salway,

Wm. Clark,

Geo. forman,

} Esq^r.

His Excellie Ordered Wm. Clark, Esq^r. to acquaint the assemblie that his Excellie expects their answer to what he had offered to them yesterday afternoon, & desired to know if ther was anie bussines to offerr; Who returned in answer that they had nothing to offerr this morning; that they wer upon the Consideraon of what the Govern^r spoke to ym yesterday, and believed they should have something to offerr this afternoon.

Adjourned to the afternoon.

[Post merid.

POST MERIDIEM.

PRESENT:

His. Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv' Govern^r.

Robert Turner,

pat. Robinson,

Wm. Salway,

} Esq^r.

Wm. Clarke,

Geo. forman.

} Esq^r.

Ordered, the Secrie ask the assemblie if they have anie thing else to offerr to his Excellie & Councill this afternoon. The Secrie Returned that they had something to offerr presentlie.

Wm. Biles, &c., from the House of representatives, brought up two Bills and presented them to his Excellie; The one Concerning the regulaon of tobacco Cask, the other to stopp the transport of tobacco from Maryland to the Lower Counties, by Land or otherwise, not having first paid the dutie to their Maties.

The said two bills wer read the first time. Ordered a second reading of the bill to regulate the tobacco Cask.

Ordered, The Leiv' Govern^r, Andrew Robeson and Wm. Clark, Esq^r. be a Committee of the Councill to conferr with a Committee of the Assemblie Concerning the bills for regulating the Cask for tobacco, and ag^t transporting of tobacco from Maryland, without the king's dutie being paid.

Ordered, Secrie Robinson to acquaint the House of this ord^r, & desire them to appoint their Committee, to meet the morrow morning.

Adjourned to the 31st of May instant.

[31st May, 1694.

Att a Councill Held att philadelphia the 31st day of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r, Leiv^t Governo^r.

And^r Robeson,
pat. Robinson, } Esq^{rs}.
Wm. Clark,

Rob^t Turner, } Esq^{rs}.
Geo. forman,

The Committee for Considering the two bills Having Returned them with amendments, they wer ordered a third reading, and George Forman to Carie them down to the house.

The house of representatives sent up severall new bills & a regulation on fees.

Adjourned to the 1st of June, 1694.

[1st June, 1694.

Att a Councill Held att philadelphia the 1st of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

And^r Robeson,
Rob^t Turner, } Esq^{rs}.

pat. Robinson, } Esq^{rs}.
Wm. Clark,

Ordered, the bill for Levying Countie rates be read the first time, which was done. Ordered a second reading.

Ordered, the Law concerning fees be read the first time.

Ordered, the reading of the bill for regulating weights & measures, which was done.

Ordered, the reading of the bill for Continouing three Laws, which was done.

His Excellie Ordered Wm. Clark & Geo. Forman, to acquaint the House of representatives that his Excellie did expect to hear from them something in ans^r to the Queen's Letter, to know what they are a doing, and to desire them to dispatch this affair, and appoint a Committee of their house to join a Committee of the Councill this afternoon to Conferr upon some amendments of those bills sent yesterday.

The Leiv^t Governo^r, Andrew Robeson, Robert Turner, pat. Robinson & Wm. Clark, are appointed the Committee to Conferr with a Committee of the House of representatives accordinglie, this afternoon att three of the Clock, in the old Councill roome.

[2^d June, 1694.

Att an Assemblie Held att philadelphia the 2^d of June, 1694.

PRESENT :

His Excellie BENJ^a FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner, } Esq^r.
pat. Robinson, }

Wm. Clark, } Esq^r.
Geo. forman, }

Wm. Clark, Esq^r. returned the bills, with the amendments agreed upon to be presented by the Comittees of Councill and Assemblie and humblie Submitted, which wer ordered to be read.

His Excellie the Governo^r and Councill doe agree to the bill for regulating weights & measures, with these amendments; That the Governo^r, with advice of the Councill, appoint the officers in philadelphia and Newcastle, and the forfeiture of five pounds therin to be to the king.

His Excellie the Governo^r and Councill, doe agree that the three old Laws ag^t usurie, Sale of Intestate's Land, and taking Lands in execuon for debts which did expyre by their owne Limitation, be formed into bills & enacted de Novo.

Ordered, George Forman, Esq^r. doe require the Speaker and the whole House to attend his Excellie in Councill forthwith; who giving attendance,

His Excellie said: "M^r Speaker and you gentl. the representatives of this province, there are some Laws which wer Comitted to a Committee of Councill and Assemblie yesterday afternoon. They are returned this morning with some amendments agreed unto by the Committee. I am willing to agree to what I find the opinion of the Committee, Onlie there is one Law which verie much concerns you & yo^r posteritie, which I cannot approve of. It is the Law for raising monie to defray the Countie charges. I disapprove of the method which you propose, being repugnant to the Law of England. You may bring a Slaverie upon yo^r posterity after you, which I will not consent unto. I have the appointment of Justices of y^e peace over you, but I declare I cannot answer for everie person that is recommended to me for that trust. By the Law of England, if understood right, no monie Can be raised to defray the Countie Charge but by the consent of the grand Jurie, which represents the people of the Countie as you doe the bodie of the whole province. I am as willing yo^r debts be paid, and everie thing needfull should take effect for yo^r ease and good as yo^r selves; but this I take to be otherwise. I have no Interest in it nor can have none. M^r Speaker, you must needs know this to be repugnant to the Law of England, therefore, wold have you Consider of it, & of a proper method for paying yo^r Countie debts, & I shall agree thereunto.

Gentl., There is one thing more; I wold have you to Lett me know how manie bills you have before you. The time is short, therfor, pray dispatch them.

[4th June, 1694.

Att a Councill Held att philadelphia the 4th of June, 1694.

PSENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leivt. Governo^r.

And ^r Robeson,	} Esq ^r .	pat. Robinson,	} esq ^r .
Robert Turner,		Wm. Clark,	

His Excellie Ordered Secrie Robinson to ask of the Assemblie if they had anie thing to offerr this forenoon, Who returned in ans^r that they wold have nothing to offerr till 4 a Clock in the afternoon.

Adjourned till 4 in the afternoon.

[5th June, 1694.

Att a Councill Held att philadelphia the 5th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

And ^r Robeson,	} Esq ^r .	William Clarke,	} Esq ^r .
pat. Robinson,		George Forman,	
Wm. Salway,			

Edward Blake, from the Representatives, brought in a bill for regulating fees.

Adjourned to 6th instant.

[6th June, 1694.

Att a Councill Held att philadelphia the Sixt of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And ^r Robeson,	} Esq ^r .	Wm. Clarke,	} Esq ^r .
Rob ^t Turner,		Law ^r Cocke,	
pat. Robinson,		Geo. forman,	

The bills ag^t Usurie, taking Land in execuon, & sale of Intestates' estates, read a third time; that of Usufie to be amended, & the word (divided, &c.) taken away, & instead therof: (the one half to the use of the king, the other to the informer.)

The bills about weights and measures, regulating tobacco Cask, & tobacco transported by Land from Maryland, read a third time.

Adjor. to 7th instant.

[7th June, 1694.

Att a Councill Held at philadelphia the 7th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leivt. Governo^r.

And^r Robeson,
pat. Robinson,
Wm. Clarke,
Wm. Salway, } Esq^r.

Robert turner
Law^r Cock,
Geo. forman, } Esq^r.

His Excellie Ordered the reading of a bill giving one pennie in the pound, wherof 200lb. to Coll. Markham, 200lb to M^r Lloyd, and the remainder towards presents to the Indians.

His Excellie desired the opinion of the Councill Concerning the sd bill.

The Councill are of opinion that the sd bill Cannot pass, and that it is no answer to the Queen's Letter, nor does anie thing towards the support of the government.

His Excellie sent for the Speaker & the whole house, and then said:

"M^r Speaker, &c. You have mistaken the form of the bill. I
"can pass no bill to Leavie monie on their Maties Subjects for my-
"self, or for the use of anie other person whatsoever. Their Maties,
"or their particular service, must be first regarded in all Leavies,
"and if you design a favour for Coll.-Markham or M^r LLoyd, your
"method is to raise a fund answerable to the Queen's Letter and their
"Maties expectations for the securitie of the fronteers and assistance
"of Newyork, and then to pray their Maties wold be pleased to allow
"outt of that sum what you intend for these gentl. I find you gee
"about to appoint yo^r owne Collector: as you cannot raise monie or
"give it to anie ether but their Maties, So you Cannot appoint such
"an officer; Indeed it appears an Unmannerlie distrust of the person
"in that office alreadie Comissionated, and it Looks Like putting it
"outt of their Maties power (if you could) to disallow of yo^r act. I
"shall suspend my determination as to the other bill till you Con-
"sider better of this, and doe again putt you in mind of a possitive
"answer to their majesties Letter."

Adjourned till morrow morning.

[8th June, 1694.

Att a Councill Held att philadelphia the 8th of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r., Leiv^t Governo^r.

And^r Robeson,
Rob^t Turner,
Wm. Salway, } Esq^r.

Wm. Clarke,
Geo. forman, } Esq^r.

M^r Blake, &c. from the House of Representatives, presented an

address, wherein they pray the passing of the Bill for the 400^l to Coll. Markham & M^r LLOYD, and alledge it warrantable; which was read.

The said gentl. giving his Excellie accompt that the house are Considering of an ans^r to the Queen's Letter, to give them time to deliberate, His Excellie did adjourn till morrow morning.

Adjourned till 9th of June 1694.

[9th June, 1694.

Att a Councill Held att philadelphia the 9th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq^r. Leiv^t Governo^r.

And^r Robeson,

Robt. Turner,

pat. Robinson,

} Esq^r.

Wm. Clarke,

Geo. forman,

} Esq^r.

The memoriall of And^r Hamilton, esq^r. given in to his Excellie & Councill, was read and recommended to the Consideraon of the Assembly, and was ordered to be caried to them by Wm. Clark, Esq^r.

The House of Representatives having Considered the said paper, doe find no Cause att present to add to the Sallerie belonging to the post office as established by the law made here Last Assembly.

M^r Bleake, Major Donaldson, Sam^l Carpenter and Wm. Biles, brought up a Remonstrance in ans^r to the Queen's Letter, which was read, viz:

“ To Benjⁿ fletcher, Capt. Generall and Governor in Chief of this
 “ province of pennsylvania and Countrie of Newcastle. The Remon-
 “ strance of the freemen of the said province and Countrie in gene-
 “ rall Assemblie mett, Humblie Sheweth: That having read thy
 “ speech delivered us the 23^d of the 3^d mo., 1694, as also having
 “ Considered the message sent us from thee and the Councill on the
 “ first day of this M^o., with respect to the Queen's Letter, Wee find
 “ upon perusall of the minuts of Assembly held here about 12 M^o.
 “ agoe, that the rate, or tax, then granted to the king and Queen, was
 “ in Compliance to the aforesaid Letter, so farr as the religious per-
 “ suasion of the most part of that Assemblie could admitt, and
 “ although the said tax amounted to seven hundred and sixtie pounds,
 “ and the greatest part therof paid in by the Countrie to the revixe
 “ Collectors, and (as it seems) in great readiness to be received by
 “ the Treasurer, which wee looke upon to be a verie Considerable
 “ demonstraon of our realitie and affection towards the king and
 “ Queen, Considering the Circumstances and infancie of this place,

“and what our neighbouring provinces (who are of much more ability, but under no Less obligation than wee are in that respect) have Contributed upon the Like occasion; Yet notwithstanding all wee have done, wee find that wee are not sutablely represented to the Indians in the Late treaties thou had with them att Albany; and not onlie soe, but wee perceive by thy speech that the five Indian nations (who till of Late have been faithfull to the Crown of England) are now drawn over to the french interest, and our Indians here Like to be Compelled to join in that fatall Confederacie, unless prevented through thy prudent management in returning the said five Nations to their former friendship with the English; for the accomplishment wherof, If what has been raised for support of government, (allowing a Competent Consideraon to the Leivt Gov^r for his Last year's service,) or in case anie thing that wee shall Contribute towards the Supplying of the Indians with necessaries for food and rayment, shall receive that Candor as to be accompted o^r assistance, In order to influence and gain them to a Continuance of their former amitie with these provinces, wee shall with all readiness acquiesce that a Sutable proportion of the monie raised, or intended to be raised & appropriated by us to that use, Shall be reputed and taken as a support to this governm^t. Therefore, wee desire that wee may be accordinglie Represented to the Indians, & not rekoned among those that refuse to Comply either with the Queen's Letter or thy Just Comands, which otherwise may prove of ill consequence to us. Signed by ord^r of the house, this 8th 4th Mo. 1694, p.

DA^d LLOYD, Speaker.”

Adjourned till afternoon.

[Post merid.

POST MERIDIEM.

PRESENT:

His Excellie BENJAMIN FLETCHER.

WY. MARKHAM, Esq^r., Leivt. Govern^r.

And^r Robeson,

Rob^t Turner,

pat. Robinson,

} Esq^r.

Wm. Salway,

Wm. Clarke,

Geo. forman,

} Esq^r.

It is the opinion of the Councill that his Excellie dissolve the Assemblie.

Ordered, M^r foreman call the whole house of representatives.

M^r Speaker and the whole house being present, his Excellie said:

“M^r Speaker, you have now satt nineteen dayes without the Least Consideraon of their Maties Service in the Securitie of the province: you have applied the first part of yo^r time in the searching for grievances, which will all appear to be the effects of yor owne weakness in not redressing ym by the due course of the Laws, there not being one of the foure you took such pains to hunt for but must reflect upon yo^r proprietor or yo^rselves.

You have Laid some bills before me. First, you desire me to give Sanction to two bills ag^t Robbing and Stealing, which tho' (as you word ym) they are not Consonant to the Laws of England, yett att yo' instance and request I doe allow of them, till their Maties pleasure be further knowen. And so for the rest, viz: 2^d, that for ragulating weights and measures. 3^d, That for Regulating Tobacco Cask. 4th, That ag^t Importing Tobacco by Land from Maryland. 5th, that for Limiting the Interest of money to eight per cent. 6th, That to make land and freehold liable to execuon for debt. 7th, That for Impowering the widow and exers. to sell Land for paym^t of debts.

These other bills I cannot pass. First, the bill for Countie Levies, which appears most unreasonable and Contrary to the Laws of England and the Comon practice in anie of their Maties dominions, for particular persons to Levie money upon the subject wtout their owne Consent. A grand Jurie att the Quarter sessions doe represent the Countie, and are Judges of the necessarie charges of the Countie, and may present such sums of money as are Convenient for the repairing highwayes, bridges, &c. and the Justices take care to order it accordingly; But in this Bill the Justices and Representatives of each Countie are empowred wtout a grand Jurie, and ag^t their Consents, to Levie money att pleasure, under a pretence of paying old debts of twelve years standing. The Second is a Bill for Regulating fees. This power is by their Maties Letters patents invested in the Governo^r & Councill, & care shall be taken therof, as in the province of Newyork, to yo' generall satisfaction.

The third is for a Sallarie for Assemble men of Six shillings a day, I recomended to yo' Care a support for the Leivt. Governo^r, the Judges & other officers who act by their Maties Comission in this province, To which you have allwayes Lent a deaf eare; And I find yo' members of Assemble have a way to gett their old allowance of three shills. a day by a bill for defraying Countie charges. This I think, is sufficient wages.

The fourth is the money Bill, Wherin you have no regard to what I proposed to you for their Maties service, In enabling mee to ans^r her Maties Letter for assistance to Newyork, tho' proposed in such a way as is agreeable to the most tender Consciences among you. You wold raise monie upon the subject & dispose of it at yo' pleasure to the two Late deputies in such a manner as I cannot consent to, being Limited by my instructions. You wold also putt itt outt of their Maties power to approve or disallow of yo' gift; you will not trust the Receiver generall appointed by authoritie of the Crown, but name one of yo' owne, who shall not be accountable for the sd sum, but to the two Late deputies: And you wold by this bill give a certain sum of 400lb. to those two gentl, who never acted by Immediate Comission from the Crown, and Leave the uncertain fragment for the support of governm^t, which, according to the measure of yo' Late aploittment, will not amount to 100lb. s^t; I am apt to believe to nothing.

Now Gentl. finding no prospect of yo' Inclinaons for their Maties

service or your owne saffie, I think fitt to dissolve this present assemblie, and you are hereby dissolved.

The end of the Second Sessions of Councill and Assembly.

[5th Februy, 1694-5.

Att a Councill Held att philadelphia the 5th day of February, 1694-5.

PRESENT:

WM. MARKHAM, Esq^r., Livet. Governo^r.

Robert Turner, }
pat. Robinson, } Esq^{rs}.

Law^r Cock, }
Charles Sanders, } esq^{rs}.

The Leivt. Governo^r showed the Councill an Ord^r from his Excellcy the Chief Governo^r, Requiring him that hee cause Jn^o Donaldson, Esq^r. be sworn one of the Councill for the province of pennsylvania & Countrie of Newcastle; which was accordinglie done. And the said Jn^o Donaldson Having taken the oaths appointed by act of parliament to be taken instead of the oathes of allegiance and Supremacie, & subscribed the test, took his place att the board accordingly.

26th March, 1695.

Att a Councill Held att philadelphia the 26th day of March, 1695.

WM. MARKHAM, Esq^r. Leivt. Governo^r.

Rob^t Turner, }
pat. Robinson, } esq^{rs}.
Charles Sanders, }

Griffith Jones, }
Jn^o donaldson, } esq^{rs}.

The Leiv^t Governo^r said to this effect: Gentl. I am glad of this opportunitie to acquaint you that I Have Latelie received their Maties Letters' patents, by which they have been graciouslie pleased to restore the propriator to the government of this province of pennsylvania & territories, and that the propriator has been pleased to send mee a Comission to be Governo^r therof under him, both which Lye before you for yo^r perusall, and which I intend to Cause publish forthwith; But before I doe, or that I enter upon the government, or that you are dismiss from being their Maties Councill, I judge it Requisitt to take those oaths that Governors are by Law obliged to take, before you, that you may be wittnesses therof; And I desire the scerie to administer the same unto mee.

Wherupon, the Secrie did administer to the sd Wm. Markham, the oaths appointed by act of parliament to be taken in sted of the oaths of allegiance & supremacie, also hee subscribed the test, as also the oaths appointed by the act of parliam^t made in the 12th year of the reign of Charles y^e 2^d, Entitled an act for the encouragement & Increasing of Shipping & navigation; & by the act of parliam^t made in the 15th year of his sd reign, Entitled an act for the encouragement of trade. All which oaths the sd Wm. Markham did Solemnlie take in psence of the sd Councill.

The Leiv^t Governo^r did also desire the Secrie to Record their said Maties Letters patents for Restoring the proprietor to his government, and the proprietor's Comission to him to be Governo^r under him, in this minuts of Councill book.

The Leiv^t Governo^r then said: Gentl. I thank you for the true allegiance and Loyaltie I have observed in you all to their Maties, o^r Sovereign Lord & Lady, Wm. & Mary, which you have shoven by yo^r readiness and willingness to their Service upon all occasions. I also thank you for all yo^r kindnesses to mee whilst Leiv^t Governo^r, for all which you shall alwayes find mee readie to serve you wherin I may. Pray gentl, As it is all o^r duties, Soe let us hereby jointlie give o^r heartie thanks to his Excellly Governo^r fletcher, for his care of y^e province, and for his affections to the proprietor and us, Humblie beseeching His Excellie that hee will be pleased still to Continou y^e same, assuring him of our true, sincere and unfeigned respects and service to o^r outmost; To which all the Council Heartilie assented. Then the Leiv^t Governo^r said: Gentl. I desire you will attend the publishing of their Maties Letters patents, which will be the Last act you can doe as their Maties Councill under His Excellie Governor fletcher; Whereby you will yet the more express yo^r readie obedience to their Maties Commands. Soe bid you Heartilie farewell.

Here follow their Maties Letters patents.

Their Maties king William & Queen Mary's Letters patents restoring Wm. penn, Esq^r. proprietor of pennsylvania, to the governm^t of the said province:

William & Mary, by the Grace of God, king & Queen of England, Scotland, ffiance & Ireland, defend^r of the faith, &c. Whereas, upon informaon that by reason of great miscarriages in the government of our province of pennsylvania in America, & the absence of the proprietor, the same was fallen into disorder & confusion, By means wherof not onlie the publick peace & administraon of Justice was broken & violated, But there was also great want of provision for the guard and defence of our sd province ag^t our enemies, wherby it was apprehended that our sd province & the adjacent Colonies, wer much in danger of being Lost from the Crown of England; for prevention therof, as much as in us Lay, & for the better defence & Securitie of o^r subjects Inhabiting those parts during this time of warr, Wee did find it absolutlie necessarie to take the government therof into our hands, and under our Immediat Care & protection; And did therupon, by Letters patents under our great Seal of England, bearing

date the Twentie-first day of October, in the fourth yeare of our reign, Constitute and appoint our trustie & well beloved Benjamin Fletcher, esq^r. our Captain Generall and Governo^r in Chief of our province of Newyork, to be our Captain generall and Governor in Chief in and over our said province of pennsilvania & Countrie of New castle, and all the Territories and tracts of Land depending theron in America, with directions to take the said province and Countrie under his government: And did therby grant unto him, the sd Benjamin Fletcher, and in Case of his death or absence outt of o^r province of Newyork & pennsilvania, our Countrie of New castle and our Colonies of East and West New Jersey, unto such person as should be appointed by us to be Commander in Chief of our said province of Newyork, or to our Councill of our sd province, the Like powers and authorities as wer granted by our Comission to the said Benjamin Fletcher, bearing date the eighteenth day of March, in the said fourth year of our reign, for the ruling & governing of o^r sd province of Newyork: and wheras, Humble application Has been made unto us by our trusty and well beloved William penn, Esq. proprietor of or sd province of pennsilvania, that hee may be restored to the administration of the government therof as formerlie: And wheras, the said proprietor Has given us good assurance that hee will take care of the government of our said province & Territories, and provide for the saftie and securitie therof all that in him Lyes, Wee have therupon thought fitt to restore him to the administraction of the government of o^r sd province & Territories, and accordingly, our will & pleasure is, that soe much of our said Comission bearing date the twentie-first day of October, in the fourth year of our reign, as doe constitute & appoint our trustie & well beloved Benjamin Fletcher, Esq^r., to be our Captain Generall and Governo^r in Chief of our said province of pennsilvania, Countrie of newcastle, & the territories & tracts of Land depending theron in America, together with all the powers and authorities therby granted for the ruling and governing of our sd province and Countrie, doe from the publicaon of these our Letters patents, cease, determin & become void, and accordingly, the same are hereby declared void; of which all persons whom it may concern are to take notice & govern ymselves accordingly, Under paine of our Highest displeasure. In wittnes wherof, wee Have caused these our letters to be made patents. Wittness ourSelves att Westminster, the twentieth day of August, in the Sixt year of our reign.

Indorsed a duplicate of the grant
to William penn, Esq^r.

PIGOTT.

By writt of privie Seal, with
the great Seal appended, in yel-
low wax.

PIGGOTT.

Wm. penn, proprietorie of pennsilvania, &c. His Commission To
Wm. Markham, to be Governor under him of the sd province and
Countries annexed.

Seal of the } William penn, proprietarie of the province of pennsil-
province. } vania & Counties annexed, to his Trustie and beloved
friend and kinsman, William Markham, Greeting:
Being as yet unable to goe myself, and having not time to make

anie other settlements of publick affairs than that which followes, And reposing speciall Confidence in thy justice, prudence and integritie, I have hereby thought fitt to Nominate & appoint thee Governo^r of my said province, &c. under me, And I doe hereby declare and Constitute thee Governo^r of the same as aforesaid; Hereby also appointing & constituting for the more easie discharge of the trust reposed in thee, Two assistants, viz: John Goodson and Samuell Carpenter of philadelphia, in the province aforesd, strictlie charging and requiring thee in all things to govern according to the known Laws & usages therof, and with the advice and Consent of both, or one of them; And particularlie, that Care be taken to Suppress all vice and disorderlie walking, by reviving and zealouslie executing all those Laws that tend to Sobriety—Strictlie charging all persons concerned to give thee & assistants the respect due to yo^r respective stations in government; Hereby revocking all former Comissions granted by mee, And this Comission to Continou in force till farder order from mee. Given att Bristoll, this twentie-fourth day of the ninth month, one thousand Six Hundred ninty and four.

WM. PENN.

Wm. penn's Commission to John Goodson & Samⁿ Carpenter, to be assistants.

William penn, proprietary of the province of pennsilvania, &c., to his trustie & Loving friends John Goodson and Samuell Carpenter: Wheras, I Have appointed and Constituted my Cousin William Markham, Governour under mee of my province of pennsilvania, &c., and taking into Consideration the state of the province, and his frequent indisposition, I have thought fitt, Reposing Speciall Confidence in yor Justice, prudence & Integritie, To appoint and Constitute you assistants to him in government, according as is expressed in his Commission, by your advice and Consent, or the advice and Consent of one of you, to transact and govern the affairs of the said province in my absence, according to the Laws & usages therof; Requiring all people to give you the respect that is due to you in that station and Capacitie. Given att Bristoll, this Twenty-fourth day of the ninth month, 1694.

WM. PENN.

[PHILADELPHIA, 23^d Aprill, 1695.

Att a Councill Held att philadelphia Die Martis, 23^d Aprill, 1695.

PRESENT:

WM. MARKHAM, Esq^r., Go^r. under Wm. penn, &c.

Sam ⁿ Carpenter,	David Lloyd,	Jn ^o Donaldsonn,
Sam ⁿ Richardson,	Caleb pussey,	Jn ^o Williams,
Anthony Morris,	George Maris,	Rich ^d Hallywell.

Upon reading the petion of Wm. Troutt, It was ordered that the triall of the Seizure of the briganteen yrin named, should be in the

Countie of Chester, upon the 18th of Aprill instant, and that a Comission be accordinglie granted, & a warrantt to the sheriff of that Countie to Summon a Jury.

Upon reading the petition of Jn^o Holme, It was ordered y^t Samⁿ Richardson, David Lloyd & Anthonie Morris, doe inspect the accoⁿ in the sd petition mentioned, and make report this afternoone.

Upon reading the petition of Samⁿ peres, It was ordered That execution & all further proceedings att y^e Comon Law be stop^t till y^e cause yrin mentned be heard at next provincially Court in equitie.

Upon reading the petition of Ralph Ward, Ordered y^t Hee & the Sheriff complained ag^t, appear att this board to-morrow morning.

Upon reading the petition of Jn^o king, Ordered y^t Eliz^t. Hooton, by her self or attornie, appea. to-morrow mornng att this board, To show cause (if anie they have) why a procedendo should not Issue, & y^e y^e Secrie give her a Copie of y^e sa petition & of this order.

Upon reading the petition of Edmond Dutton, Ordered y^t hee & Samⁿ Atkins, Complained ag^t, appear to-morrow morning att this board.

Adjourned to 5 post meridiem.

POST MERID.

Five in the afternoone.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r, & others, as in the forenoone.

Samⁿ Richardson, David Lloyd & Anthony Morris, Reported to this board, That by the inspection of y^e accoⁿ mentned in Jn^o Holmes' petition, the estate of Nicholas & Marie More's, deceased, are Considerable indebted to severall psons upwards of 370lb. And yrfore, the Go^r & Councill ordered, That the sd Jn^o Holme might be permitted & allowed, & is hereby permitted & allowed to sell the plantation of Green-spring, with all y^e Lands & improvments therto belonging, & such parts of the mannor of moreland as decended to Samⁿ More, deceased, or were Lotted outt for y^e sd Samⁿ & Rebecca Mores, deced, as may amount to what they dyed indebted to him, y^e sd Jn^o Holme & others, and such other parts of the estate of y^e sd Nicholas, Marie, Samⁿ & Rebecca Mores, deced, as will onlie defray their just debts, & the educaon of the said Nicholas Mores' Surviving children, & the better Improvment of the remainder of the sd estate, according to Law. And further Ordered, that the members of Councill for the Countie of philadelphia, or anie two of ym, may supervise the sd sales that they be made for true & valuable Consideraons & not undersold.

Adjourned to 24th Aprill instant.

County of Chester, upon the 18th of April instant, and that a Commission be accordingly granted, & a writ return to the effect of County to Summon a Jury.

Upon reading the petition of J^r Holmes, it was ordered y^e Sam^r Richardson, David Lloyd & Anthony Morris, do inspect the same, & ad person mentioned, and make report this afternoon.

Upon reading the petition of Sam^r Bates, it was ordered That a Commission & all further proceedings at y^e Common Law be stop'd, in case y^e in named be heard at next provincial Court in equity.

Upon reading the petition of Ralph Ward, Ordered y^e l^{ie} & Sheriff complained ag^t, appear at this board to-morrow morning.

Upon reading the petition of J^r King, Ordered y^e Ellis, Heston, per self or attorney, appear to-morrow morning at this board, show cause (if any they have) why a procedendo should not issue & y^e y^e Sec^r give her a Copy of y^e an petition & of this order.

Upon reading the petition of Edmund Dalton, Ordered y^e Sam^r Atkins, Complaind ag^t, appear to-morrow morning at this board.

Adjourned to 5 post meridiem.

POST MERIDI.

Five in the afternoon.

PRESENT:

WM. MARRHALL, Esq^r, Governor, & others, as in the forenoon.

Sam^r Richardson, David Lloyd & Anthony Morris, Reported to this board, That by the inspection of y^e acc^t mentioned in J^r Holmes petition, the estate of Nicholas & Marie More's, deceased, are Com^{rs} estate indebted to several persons upwards of 370^{li}. And y^e report the Go^v & Council ordered, That the sd J^r Holmes might be permitted & allowed, & is hereby permitted & allowed to sell the plantation of Green-spring, with all y^e lands & improvements there belonging, & such parts of the manner of morland as descended to Sam^r More, deceased, or were Lotted out for y^e sd Sam^r & Rebecca More's, deceased, as may amount to what they dyed indebted to him, y^e sd J^r Holmes & others, and such other parts of the estate of y^e sd Nicholas, Marie, Sam^r & Rebecca More's, deceased as will enable they their just debts, & the education of the said Nicholas More's, surviving children, & the better improvement of the remainder of the sd estate, according to Law. And further Ordered, that the members of Council for the County of Philadelphia, or any two of ym, may supervise the sd sales that they be made for true & valuable Consideration & not undervald.

Adjourned to 2nd April instant.

[24th Aprill, 1695.

Att a Councill Held att philadelphia Die Mercury, 24th Aprill, 1695.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r, und^r Wm. penn, &c., et ysdem ut antea.

John More appeared on y^e behalf of Eliz. Hooton & Jn^o king, by himself & Griffith Jones on his behalf, and upon reading y^e sd Jn^o king's petion, & some debate yron by the attornies on both sides, The further debate yron was referred to the 18th day of May next.

Upon Reading the petion of Ralph Ward, Ordered y^t y^e sd Ralph paying y^e two fines of ten shills. each, & the Lau^{ll} charges, y^t y^e Sheriff return him y^e goods taken upon execuon, If unsold.

Upon reading the petion of Edmond dutton, ag^t Sam^{ll} Atkins, Samⁿ having had notice to appear & ans^r y^e same but did not, Ordered y^t both the execuons of both the sd Judgm^s obtained by y^e sd Sam^{ll} Atkins ag^t the sd Edmond dutton, be stopt, & y^t the whole matter be, and is hereby referred to the further Consideraon, explicaon & determinaon of y^e next provinciall Court in equitie.

Upon reading the petion of Hugh Hall ag^t James Stanfield, By the consent of the said James, It was ordered y^t Hugh Hall have an appeall granted him from the judgm^t of the Countie Court to y^e next provinciall Court in equitie, ag^t y^e sd James, The sd Hugh Hall giving good securitie to prosecute the said appeall, & to pay all costs & damages that shall be awarded ag^t him.

Att a Councill Held att philadelphia Die Saturni, 25th May, 1695.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r, und^r Wm. penn, & all the members of Councill.

Upon Reading the petion of Jn^o king ag^t Eliz. Hooton, & the two orders yron, y^e 23^d & 24th of Aprill Last past, Ordered y^t y^e further Hearing of the sd petion be befor all Comittee of all the repsentatives of Councill, & y^t they make report yrof to the Gor. in Councill.

Upon Reading the petion of Robert Wade ag^t the Countie of Chester, for the grand Jurie of the sd Countie their taking away his proper tie in Chester for a Landing, by virtue of y^e 100^d Law of the province, enacting that each Countie Court of this province & territories yrof, shall appoint & settle a sufficient Cart-way to the most convenient Landing place in their rexive Counties for publick use & benefit.

After a full debate, The Question was putt by the Governo^r, whether the sd Law could Justifie the sd grand Jurie's act? And it was Caried in the Negative.

Wherupon, it was ordered by the Governor and Council, that the said Robert Wade, nor his assigns, be no further troubled, molested nor disquieted in the peaceable possession of his propertie.

Upon Reading the petition of Sam^r Lewis, Ordered that the representatives in Council for the Countie of Chester, examine & hear the whole matter, & that they Have yrby power to call before ym all persons concerned in the sd Complaint, both pties & wittnesses, & make report therof to the Governo^r and Council.

Upon reading the petition of Tenniss Lins, Ordered that the Sheriff of the Countie of Chester give the petition^r an order for the goods hee took in execuon of Israell Taylor's, & that hee have his remeadie att Law for the remainder of his debt, & damages.

Upon Reading the petition of Thomas Herris, It was the opinion of the Go^r & Council that the matt^r is not cognizable befor ym, seeing hee might have had an appeal to the County Court in equity.

Upon reading the petition of Jn^o Hugg ag^t Benjⁿ Chambers, Referred to Law.

Upon reading the petitions of Henrie peirce & Wm. Howell, Referred to Com^{rs} of propertie.

Upon reading the petition of Chester Countie for a ferrie att the rock; And of the welsh for a ferrie att Wm. powell's; And of some of the Inhabitants of philadelphia about Securing their gun-powd^r, & providing of Ladders & Leather bucketts; and of another ag^t disorders in sd towne; and of another about Tann'd Leather; These 5 petitions wer referred to the Committee for preparing of Bills to be past into Laws.

Upon Reading the petition of Griffeth Owen ag^t Wm. Hawkes & Jn^o More, for detaining from him a patent delivered them to make some writtings by, Ordered that sd Hawkes attend y^e Governor & Council the 29th instant.

[28th May, 1695.

Att a Council Held att philadelphia Die Martis, 28th May, 1695.

PRESENT:

WM. MARKHAM, Esq^r., Go^r under Wm. penn, &c., & all the members except Jos. Growdon.

Upon Reading the petition of Griff. Owen, Appeared Wm. Hawkes, & upon Hearing, It was Ordered y^e sd Hawkes give the pa's to David Lloyd to be recorded, & there to remain till the severall grants be made to the pties yⁿ concerned, & till the sd parties agree in whois hands it shall be Lodged.

Upon Reading the petition of Comfort Scott ag^t Wm. Clark, & his ans^r therto, Itt was referred to the Comrs. of propertie.

[30th May, 1695.

Att a Councill Held att philadelphia Die Jovis, 30th May, 1695.

PRESENT:

WM. MARKHAM Esq^r., Go^r und' Wm. Penn, &c., & all the members except as above.

Upon reading the petition of Joseph Wood ag^t Wm. Shardlow & his attornie, Charles Sanders, The matter was Left to the Course of the Comon Law, & it was recommended to the Justices of the Countie Court to inspect the matter.

Upon reading the petition of Thomas Herris relating to his former, It was the opinion of the Go^r & Council y^t was not Cognizable before them.

Upon Reading the petition of Jn^o king ag^t Eliz. Hooton, Ordered that a writt Issue from the Go^r to the provincial Judges, to try the appeall depending between Eliz. Hooton & Jn^o king, & forthwith to proceed to Judgm^t therupon.

Upon Reading the petition of Samⁿ Atkins ag^t Samⁿ preston, Late Sheriff of the Countie of Sussex, The petition^r is Left to his Course att Law.

[29th June, 1695.

Att a Councill Held att philadelphia Die Veneris, 29th June, 1695.

[15th June, 1695.

Att a Councill Held att philadelphia Die Saturni, 15th June, 1695.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r und' Wm. penn, &c.

Sam ⁿ Carpenter,	David Lloyd,	William Clark,
Anthony Morris,	Rich ^d Hallywell,	phin. pemberton.
Joseph Growden,	Griffith Jones,	

The Go^r Having acquainted the Councill of some reports hee had heard of the designs of o^r enemies the French, ag^t these parts, & y^t they had a Squadron of Shipps att sea bound for y^e plantaons, to attack ym, & y^t some of the members of this board had proposed to him that a watch on Cape Inlopen to be kept, might be of Service, to give notice if anie suspicious vessells should appeare wtin sight of sd Cape,

The Go^r putt it to the Question, whether a watch there wold not be necessarie, convenient, & of service to the publick. It was caried in the affirmative, nemine Contradicente; And for defraying the publick charge yrof, It was Resolved y^t the Go^r & representatives in Council wold effectuallie Recomend the same to the next assemblee, and that in the meantime, the Go^r should Issue an ord^r to the Justices of the peace for the Countie of Sussex, that they Cause the sd Watch to be kept on the sd Cape by two men to the first day of Octob^r next ensuing, from five in the morning to Seven of the Clock att night; which was accordingle done, & delivred to Wm. Clarke.

PROVINCIAL COUNCIL.

[30th May, 1895.]At a Council Held at Philadelphia Die Jovis, 30th May, 1895.

PRESENT:

WM. MARKHAM Esq., Gov. and Wm. Penn, Esq., & all the members except as above.

Upon reading the petition of Joseph Wood ag. Wm. Sparrow & his attorney Charles Sanders, The matter was left to the Council of the Common Law, & it was recommended to the Justices of the Council Court to inspect the matter.

Upon reading the petition of Thomas Harris relating to his former, it was the opinion of the Gov. & Council 'y' was not Cognizable before them.

Upon Reading the petition of Jn. King ag. Elix. Hooton, Ordered that a writ issue from the Gov. to the provincial judges, to try the appeal depending between Elix. Hooton & Jn. King, & forthwith to proceed to judgment thereupon.

Upon Reading the petition of Sam. Atkins ag. Sam. Preston, Late Sheriff of the County of Sussex, The petition is left to his Council as Law.

[1st June, 1895.]At a Council Held at Philadelphia Die Saturni, 1st June, 1895.

PRESENT:

WM. MARKHAM Esq., Governor and Wm. Penn, Esq.

Sam. Carpenter,	David Lloyd,	William Clark,
Anthony Morris,	Rich. Halliwell,	John Pemberton.
Joseph Growden,	Griffith Jones,	

The Gov. Having acquainted the Council of some reports hee had heard of the designs of 'y' enemies the French, & 'y' they had a Squadron of Ships at sea bound for 'y' plantations, to attack ym, & 'y' some of the members of this board had proposed to him that a watch on Cape Inlopen to be kept, might be of Service, to give notice if any suspicious vessels should appear within sight of ad Cape,

The Gov. put it to the Question, whether a watch there would not be necessary, convenient, & of service to the publick. It was carried in the affirmative, nemine Contradicente; And for delaying the publick charge ym, It was Resolved 'y' the Gov. & representatives in Council should effectually Recommend the same to the next assembly, and that in the meantime, the Gov. should issue an ord. to the Justices of the peace for the County of Sussex, that they Cause the ad Watch to be kept on the ad Cape by two men to the first day of Octob. next, commencing from five in the morning to Seven of the Clock at night; which was accordingly done, & delivered to Wm. Clarke.

[18th June, 1695.

Att a Councill Held att philadelphia Die Martis, 18th June, 1695.

PRESENT :

WM. MARKHAM, Esq^r., Go^r under Wm. penn, &c.

Sam ^l Carpenter,	David Lloyd,	Rich ^d Hallywell,
Sam ^l Richardson,	John Donaldson,	William Clark.

Upon reading the peticion of Harman Lawrier, Setting forth that there are 4 children belonging to his Sister in the sd Countie of New-castle, whom hee requests that hee may be permitted to take ym to Newyork, & engages to take such Care of yr education as becomes their qualitie & his relation to ym, It was the opinion of the Go^r & Councill y^t y^e sd Harman take the children yⁿ named into his Care & custodie, & after hee has made such satisfacon to the pties y^t have kept ym as is reasonable, & given securitie to the Justices of y^e Court for Indemnifying the said Countie ag^t the sd children, Hee may transport ym outt of this governm^t to Newyork.

[29th June, 1695.

Att a Councill Held att philadelphia Die Veneris, 29th June, 1695.

PRESENT :

WM. MARKHAM, Esq^r., Go^r under Wm. penn, &c.

David Lloyd,	Rich ^d Hallywell,	Wm. Clarke,
Jn ^o donaldson,	Griffith Jones,	Tho. pemberton.

The Go^r Spake to this effect: "Gentl, Seeing it will require a Long "time to gett a full Councill, by reason of the remoteness of manie "of y^e members, I Let you know That having Latelie received "another Lre from His Excelly Governo^r Fletcher, I thought it "necessarie to call a Councill as soon as I could; I hop't indeed to "have had a Larger number present than I find come." However, his Excelly Governo^r Fletcher's Lre being read, wherin hee applied himself to Go^r Markham that a Quota of Eighty men, with their proper officers, viz: One Captain, Two Leivts., Three Sergeants, Three Corporalls & two drummers, or the value of the charges for maintaining the same, be provided & sent to Newyork by the first of August next, in obedience to the Comand of her Late Matie & for his Maties Service, in order to the Generall defence of this part of his Maties empyre.

After the reading wherof, The Go^r said: "Gentl. When his Excel- "lie Governo^r Fletcher, by his Lre to mee of the 15th of Aprill Last "past, made his first demand of y^e sd Quota of men, or the value of "the charges for maintaining the same, Requiring that they should "be provided & sent to New york by the first of May Last past, "You know the ans^r you gave to it, viz: That you wer not in a "capacitie to give a full & Satisfactorie ans^r to soe weightie a matter "wtout a generall Assemblie, And that most of the members Living

"soe remote from this place, & harvest drawing on so near that they
 "could not meet till about the 9th of 7ber next, & yrfore, you yn
 "advised mee to Comand the Assemblie to meet the sd day to advise
 "& Consult yrupon.

"Gentl., You know that I thought that time too long, & y'fore yn
 "desired you to Consider further before you resolved; yet you then
 "replied that you had deliberatlie Considred of it, & that it wold be
 "to the ruine of manie families to be from home in harvest. There-
 "fore, I now desire you seriouslie to Consider what ans^r I shall give
 "His Excellie Go^r Fletcher, to his 2^d demand.

"Gentl., I'm here in the roome of o^r proprio^r, & since hee has
 "not restricted nor Limited mee, the blame shall not Lye att his
 "doore. If you will doe anie thing that may effectuallie ans^r her
 "Late Maties Royall will & pleasure, and his Excellie Governo^r
 "Fletcher's demands formed yrupon, I'le give such sanction to it as
 "becomes mee to doe; and tho' the proprio^r has given their Maties
 "good assurance that hee will take care of the govtmt & provide
 "for the saftie & securitie therof all that in him Lyes, And is by her
 "Late Maties Royall Lre Comanded to give directions that due pro-
 "vision be forthwith made att the publick charge of y^e province, for
 "the furnishing the said assistance, as the same shall be soe demanded
 "from time to time by his Excellie the Governo^r of Newyork, yet
 "the proprio^r if he were here himself, nor I that represent him,
 "Cannot raise monie wtout you & an Assemblie, who are the people's
 "representatives; And if you will doe anie thing, I am ready in the
 "proprietaries behalf to give it Sanction. And yrfore, I desire your
 "advice whether to shorten the time of the Assemblies meeting from
 "the 9th of 7br. to a neerer day, will be of any service."

It was the unanimous opinion of all the members present, that it
 wold be of no service to call ym sooner. The Governo^r Having askt
 the reason of their opinion, one of the members ansred, Becaus by
 the great mortalitie of the Cattle & stock of the Inhabitants Last year,
 the people have been, & still are und^r great straits for Corn & provi-
 sions, and the substance of the province & Territories Consisting all
 together in stock, provisions & Corne, If the inhabitants should be
 called off from getting in their Harvest & Cropts to attend the assem-
 blie, whose number wth the Councill are 54 persons, It wold tend to
 their utter ruine. And tho' a Law were alreadie past for raising monie
 to defray the charge of the assistance demanded, It could be no sooner
 collected then it wold be if not made till the 9th of 7ber. next, Becaus
 the paymts must be made outt of the Cropt yt is now upon the ground,
 & upon which the sole dependence of the province for their support
 relies, & the proper time of paymt therof is in the winter. To which
 the rest of the members Unanimouslie assented.

[22^d April, 1693.]

At a Council Held at Philad. Die Lunæ, 22^d April, 1693.

[8th August, 1695.

Att a Councill Held att philadelphia Die Jovis, 8th August, 1695.

PRESENT:

WM. MARKHAM Esq^r. Go^r under Wm. Penn.

Sam ⁿ Carpenter,	William Biles,	John Williams,
Sam ⁿ Richardson,	David Lloyd,	Rich ^d Hallywell,
Anthony Morris,	Caleb pussey,	John Brinkloe,
phinehas pemberton,	George Marris,	Griffith Jones.

The Go^r himself read to the Councill some part of a Lre directed to him from Go^r Fletcher, wherein hee told him Hee should not be wanting in calling for the supplies, ordered him outt of this province by the Royall Comand, And then ordered the Secrie to Issue writts to the sheriff of each of the Six rexive Counties, to warn the representatives of Councill & assembleie to meet at philad the 9th of 7ber. next, as was agreed Last provincially Councill; & y^t in case of the death of anie of y^e Representatives, giving power to the rexive sheriffs to elect others in their rooms, according to Law.

Adjourned to 23^d instant.

PROVINCE OF PENNSILVANIA & COUNTIES ANNEXT.

[20th April, 1695.

Minutes of Councill in the Assembleie Anno R. R. et Ræ, Willielmi et Mariæ, &c. Nunc Angliæ, &c. Septimo.

Att a Councill Held att philadelphia die Saturni, 20th Aprill, 1695.

PRESENT:

WILLIAM MARKHAM, Esq^r, Governo^r under Wm. penn, &c.

The Sheriff of the Countie of philadelphia, his Return of Representatives in Councill was read, & there wer elected Samⁿ Carpenter for 3 years, Samⁿ Richardson for 2 years, & Anthony Morris for one yeare. As also the Sheriff of the Countie of Chester, his return of representatives in Councill was read, & there were elected David Lloyd for 3 years, Caleb pussey for 2 years, & George Marris for one year.

Adjourned to 22^d instant.

[22^d April, 1695.

Att a Councill Held att philad. Die Lunæ, 22^d Aprill, 1695.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r under Wm. penn, &c.

The Sheriff of the Countie of Newcastle, his return of representatives

Adjourned to 18th May, 1695.

in Councill was read, & there were elected Jn^o donaldson for 3 years, Jn^o Williams neering for 2 years, & Richard Halliwell for one year, all which six members appearing in Councill, their elections wer approved of.

The Sheriff of the Countie of Bucks, his return of representatives in Councill being read was rejected, becaus it did not mention the day of their election, nor the reuxe years for which the members were to serve.

The Sheriffs of the Counties of kent & Sussex their Return of representatives in Councill being Read was rejected, becaus they made not their election till the 13th instant.

The Representatives of the Countie of Newcastle took the oathes appointed by act of parliam^t to be taken instead of the oathes of allegiance & supremacie, & subt the test, & promise of secresie, & took their places att the Councill board.

The Representatives for the Countie of philad. & Chester did subscribe the declaraon of fidelitie, profession of the Christian faith, test & promise aforesd, & took yr places as above.

Adjourned to 23^d instant.

[23^d Aprill, 1695.

Att a Councill Held att philad. Die Martis, 23^d Aprill, 1695.

PRESENT:

WM. MARKHAM, Go^r under Wm. penn, &c.

Sam ^l Carpenter,	David Lloyd,	Jn ^o Donaldson,
Sam ^l Richardson,	Caleb pussey,	Jn ^o Williams,
Anthony Morris,	George Marris,	Rich ^d Halliwell.

The Governo^r desired pat. Robinson, Secrie., to read yr Maties Lres patents under the Great Seal of England, restoring the proprietarie to his governm^t; & the proprietaries Comission to Wm. Markham, to be Governo^r und^r him, & his Comission to Jn^o goodson & Sam^l Carpenter, to be his assistants, all which hee accordinglie read, & they stand recorded in the other end of this book.

Adjourned to 24th instant.

[24th Aprill, 1695.

Att a Councill Held att philad. Die Mercury, 24th Aprill, 1695.

PRESENT :

WM. MARKHAM, Go^r under Wm. penn, &c., et ysdem sicut antæ.

In respect of the Illegalitie of the Returns of Representatives for the Counties of Bucks, kent & Sussex, Ordered that new writts be issued for their election of representatives upon y^e 8th of May next, & to meet in Councill the 18th of sd mo., which was accordinglie done.

Adjourned to 18th May, 1695.

[18th May, 1695.

Att a Councill Held att philad. Die Saturni, 18th May, 1695.

PRESENT:

WM. MARKHAM, Governo^r under Wm. penn, &c.

Sam ⁿ Richardson,	David LLoyd,	George Marris,
Anthony Morris,	Caleb pussey,	Jn ^o Donaldson.

The Sheriff of the Countie of Bucks, His Return of Representatives in Councill was read, & there were elected Joseph Growdon for 3 years, phinehas pemberton for 2, & Wm. Biles for one yeare: The Sheriff of the Countie of kent, his Return of Representatives in Councill was read, & there were elected John Brinkloe for 3 years, Richard Willson for 2, & Griffith Jones for one yeare.

The sd Jn^o Brinkloe & Richd Willson took the oathes aforesd & subt the test & promise of secresie. The sd Griffith Jones subt the declaraoⁿ of fidelitie, profession of the Christian faith, the test & promise of secresie, & took yr places att the board.

[20th May, 1695.

Att a Councill Held at philad. Die Lune, 20th May, 1695.

PRESENT:

WM. MARKHAM, Governo^r und^r Wm. penn.

David LLoyd,	Jn ^o Donaldson,	Jn ^o Brinkloe,
Caleb pussey,	Jn ^o Williams,	Griff. Jones
George Marris,	Richd Hallywell,	

The Sheriff of the Countie of Sussex, His return of Representatives was read, and there were elected Wm. Clark for 3 years, Thomas pemberton for 2 years, & Robert Clifton for one year.

The sd Wm. Clark, phinehas pemberton & Wm. Biles, did subscribe the declaration, &c. profession, &c. test & Secresie, & took their places att the board. The said Thomas pemberton & Rob^t Clifton took the Oathes, test & promise of secresie, & took their places as above, & so wer psent:

phinehas pemberton,	Anthony Morris,	Griffith Jones,
William Biles,	Jn ^o Donaldson,	Richard Willson,
David Lloyd,	Jn ^o Williams,	Wm. Clarke,
Caleb pussey,	Richd Hallywell,	Tho. pemberton,
George Marris,	Jn ^o Brinkloe,	Rob ^t Clifton.
Sam ⁿ Richardson,		

After the reading of y^r Maties Lres patents for restoring the proprietarie to his governm^t, & the proprietaries Comission to Wm. Markham to be Governo^r under him, & to Jn^o Goodson & Samⁿ Carpenter to be his assistants, by the Secrie, The Governor said:

“Gentl., You are Convened by virtue of a power derived unto mee
“from M^r penn, Our absolute proprietarie & Chief Governo^r, under
“whois governm^t you Lived happilie for manie years. Their Maties,

"our Sovereign Lord and Ladie Wm. & Marie, wer pleased upon
 "some apprehensions that this province was in danger of being Lost
 "from the Crowne of England, to take us und^r their more Imediate
 "care & protection, During which time I was yo^r Leivt. Governo^r, &
 "I must say that I have observed in you (I mean both you & those
 "you repsent) a dutiefull affection to their present Maties, in a readie
 "Compliance with all y^r Comands, after such mann^r as yo^r tender
 "Consciencs could permitt. Most of you were either of the Coun-
 "cill or of the Assemblie first called by his Excellie Governo^r Fletch-
 "er, and when the Queen's Lre for the assisting the province of New
 "york to defend y^r fronteers was read, I rejoiced to see yo^r readiness
 "to Comply, and tho' the principles of most of you were ag^t giving
 "any thing to Maintain warr, yet you Dutiefullie & prudentlie, &
 "without example from yo^r neighbours, raised money under the title
 "FOR THE SUPPORT OF GOVERNMENT, but to be disposed
 "of as his Excellie Governo^r Fletcher should think fitt, Which monie
 "was by his sd Excellies order transmitted to New york, & no doubt
 "well employed in the service of the Crown. And now Gentl., Their
 "Maties Have been graciouslie pleased to restore our proprietarie to
 "His governm^t, a gentl, I'm sensible, has allwayes been verie affec-
 "tionate to us, & I hope none of us (I am Confdent there is not one
 "here) will be wanting in gratitude towards him, nor in due respect
 "to & Love for him; Let us yrfore, Like dutifull, Obedient & grate-
 "ful subjects, entreat o^r proprietarie to return their Maties o^r most
 "Humble & Heartie thanks for this y^r great & gracious favo^r, & to
 "assure ym y^t wee shall ever Continou to be yr most Loyall & obe-
 "dient subjects."

To which the whole members of Councill Heartilie assented.

Adjourned to 22^d May instant.

[22^d May, 1695.

Att a Councill Held att philadelphia Die Mercury, 22^d May, 1695

PRESENT:

WM. MARKHAM Esq^r, Governo^r und^r Wm. penn, &c., et ysdem
 Sicut antea.

The Governo^r Ordered the whole Representatives to resolve into a
 grand Committee to Inspect & revise the Laws of y^e province, In order
 to repeal those that were not fitt to be Continoued, & to prepare Bills
 for such Laws y^e are necessarie & wanting.

Resolved, yt y^e 5th instant be & is appointed for the Hearing of
 petitions and Complaints.

Adjourned to 25th instant.

[25th May, 1695.

Att a Councill Held att philadelphia Die Saturni, 25th May, 1695.

PRESENT:

WM. MARKHAM, Governo^r, und^r Wm. penn, &c., and all the representatives in, N^o. 18.

Joseph Growdon, Hitherto absent, sub^d. the declaracon, Test & promise of Secrisie, & took his place att the board. And soe wer present y^e Governo^r & a full Councill, viz:

Sam ^l Carpenter,	David Lloyd,	John Brinkloe,
Sam ^l Richardson,	Caleb pussey,	Richd Willson,
Anthony Morris,	George Marris,	Griffith Jones,
Joseph Growdon,	Jn ^o Donaldson,	Wm. Clark,
phinehas pemberton,	Jn ^o Williams,	Thomas pemberton,
Wm. Biles,	Rich ^d Hallywell,	Robert Clifton,
		Pat. Robinson, Secry.

The Grand Committee of y^e whole Representatives, to whom the inspecting & revising of the Laws of y^e province was Comitted, presented to the Governo^r a Bill Relating to the new modelling the government, which was read once.

Adjourned to y^e 27th instant.

[27th May, 1695.

Att a Councill Held att Philadelphia die Lunæ, 27th May, 1695.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r under Wm. penn, &c., & all the members except Jos. Growden & Jn^o Williams.

The said Bill was again begun to be read & debated, but it Could not be agreed upon.

Adjourned to 28th instant.

[28th May, 1695.

Att a Councill Held att philadelphia die Martis, 28th May, 1695.

PRESENT:

WM. MARKHAM, Governo^r under Wm. penn, &c., & all y^e members except Jos. Growden.

The said bill being Laid aside, becaus it could not be agreed upon. A Committee of one member for each County, viz: Sam^l Carpenter, Wm. Biles, David Lloyd, Rich^d Hallywell, Jn^o Brinkloe, & Wm. Clark, were appointed to Consider of a new frame & modell of governm^t, & to make report to the Governo^r & Councill this afternoon.

POST MERIDIEM, Præsentibus ut antea.

The Committee to whom the Consideraon of a new forme & modell of governm^t was Comitted, Reported: That they had made some attempts, but Could not agree upon a new frame; And yrfor, the Governo^r appointed the same Committee to meet w^t himself to-morrow morning, about the same, And to make report.

Adjourned to 29th instant.

[29th May, 1695.

Att a Councill Held att philadelphia Die Mercury, 29th May, 1695.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r und^r Wm. penn, &c., & all the Representatives ut antea.

The Governo^r & Comittee to whom y^e Consideraon of a new form & modell of governm^t was comitted, Reported: That nothing could be agreed upon in ord^r to a new modell of governm^t notwithstanding all y^e pains & time spent about y^e same.

Then the Governo^r said: "Gentl. By the writts issued by me for "Calling you together, you may see it was to choose repesentatives "to forme a provinciall Councill, to advise w^t mee in matters relating "to y^e governm^t; Accordinglie the elections wer made, & you that "were chosen have appeared & pformed all the Ceremonies Usuell "by any former provinciall Council. Gentl. you have taken up much "time in endeavouring to Lay aside the Charter granted you by the "proprietarie, which you then thankfullie accepted of, & to propose "& make a more easie frame than formerlie by y^e sd Charter & act "of settlement you had, but y^e difficulties y^t attended yo^r new bill & "frame were so great that they Could not be gott over. Since yrfor "the end of my Calling and of yo^r Coming together was to advise "w^t mee in matters Relating to y^e governm^t,"

I Lett you know That the Queen's most excellent Matie Hath, upon the 21st of Aug^t, 1694, signified to or sd proprietor & in his absence to the Comand^r in Chief of y^e sd province of pennsilvania for y^e time being, That a Quota not exceeding eighty men, with their officers, or the value of the chairges of maintaining y^e same, be the measure of the assistance to be given by y^e sd province of pennsilvania & Countrie of Newcastle for y^e defence & securitie of the province of Newyork, Thereby Requiring & Comanding o^r sd propietero^r att all times, upon application of the Governo^r & Commander in Chief of the province of newyork, to send y^e same for the defence & Securitie yrof; And y^t the said proprietor give directions that due provision be forthwith made, att the publick charge of the sd province of pennsilvania & Countrie of Newcastle, for the furnishing such assistance as the same shall be soc demanded from time to time, by the sd Governo^r or Comand^r in Chief of the sd province of Newyorke.

The Serious & due Consideraon of which Letter I Recommend unto you, & according to your dutie, doe require your advice & assistance in the prosecuting this weightie affair, upon which yo^r owne & yo^r neighbours securitie and preservaon soe much depends.

I also Let you know, That His Excellie Benjⁿ Fletcher, by his Letter of y^e 15th Aprill, writts me that hee is necessitated for y^r Maties Service & the securitie of y^e fronteers, to demand from us eightie men & y^r officers, with armes, amunition, & pay for one yeare. The officers y^r will be requisite are One Captain, Two Leivtenants, foure sergeants, foure Corporalls & two drumers; & y^r y^r Maties have Comanded us to furnish him with this assistance from pennsilvania & newcastle, & y^r y^e frontiers are soe circumstantiated att psent, that there being att Albanie on the first of May next ensuing, or as soon as possible may be, is thereby required. Both which Lres having been read, The Governor added: Gentl, you are the Representatives of the people, yrfor I again desire yo^r advice here. The Rerepresentatives Having desired some time to Consider therof, the Governo^r did Resolve the whole Rerepresentatives into a grand Committee, to Consider of an effectuall answer both to her Majesties Letter and Governo^r Fletchers, and delivred to Wm. Clark, one of their number, both the sd originall Letters for their perusall, & to make report to-morrow.

Adjourned to 30th instant.

[30th May, 1695.

Att a Councill Held att philadelphia die Jovis, 30th May, 1695.

PRESENT:

WM. MARKHAM, Esq^r, Governo^r under Wm. penn, &c., & all y^r members except Joseph Growdon.

Wm. Clark Reported from the Committee of the whole Rerepresentatives, to whom the Consideraon of her Maties Letter & of Governo^r fletcher's Letter, & their advice yrin & ans^r yrto, was Committed. That having taken the same in to their Serious Consideration, Humblie offerr y^r opinion that they are not in a Capacitie to give a full & Satisfactorie ans^r to soe weightie a matter wtout a generall Assemblie, & most of ym living soe remote from this place, & Harvest drawing on so near, that they cannot meet untill about the 9th day of Sept^r next, And yrfore, doe advise the Governo^r to Command the assemblie to meet the sd day, to consult & resolve yrupon.

Then the Go^r said: "Gentl., You are my wittnesses that I have done my dutie: Onlie wish that this your delay may not be taken for a deniall, The Consequences wherof may prove verie fatall to us all. And desired they wold Consider further before they resolved."

They replied that they had deliberatelie Considered of it, & y^r it wold tend to the ruine of manie families to be from home in harvest time.

Resolved y^t the Assemblie be Convened to meet att philadelphia the said 9th day of Sept^r next, by order from the Governo^r.

Then the Go^r said further: "Gentl., you know y^t in their Maties "Lres patents for restoring M^r penn to his governm^t it's said, That "he, the sd M^r penn, Has given y^r Maties good assurance that hee will "take care soe farr as in him Lyes, to secure the province. What "will you advise me in this case about securing y^e same ag^t anie "attempts that may be made upon us by o^r enemies? will you be "willing y^t if an enemy should assault us I should defend you by "force of armes?" Some made ans^r y^t they wold; Others that they must Leave everie one to y^r Libertie, & y^t Governo^r penn's instructions yrin must be followed, and it being his bussines they had nothing to doe with it.

Then the Go^r desired to know of Jn^o Goodson, his assistant, whether hee was dissatisfied w^t any thing hee had done during this time of Sessions? Jn^o goodson ansred y^t hee was well satisfied w^t all y^t had been done.

Then the Go^r desired y^t the representatives that Lived nearest to philadelphia might give y^r attendance in Councill upon anie emergency, when called by the Go^r & his sd assistant.

Adjourned to 9th Septemb^r, 1695.

[9th Septemb^r, 1695.

Att a provincially Councill Held att philadelphia die Lunæ, the 9th of September, 1695.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r und^r Wm. penn, Esq^r. &c., and John Goodson assistant.

Sam ⁿ Carpenter,	David Lloyd,	John Brinkloe,
Sam ⁿ Richardson,	Caleb pussey,	Richd Willson,
Anthonie Morris,	Thomas* Marris,	Griffith Jones,
Joseph Growdon,	John Donaldson,	William Clark,
phinehas pemberton,	John Williams,	Tho. pemberton,
William Biles,	Richd Halliwell,	Robt. Clifton,
		Pat. Robinson, Secrie.

The Governo^r desired the secrie distinctlie to read all the minutes of Councill that have been held since the restoration of the proprietor to his government, Which the secrie accordinglie did.

Then the Governo^r said: "Gentl., I ordered all the minutes of "Councill that have been held since the proprietor's restoration to "his governm^t to be read, to remind you how wee have fallen out of "the method of governm^t formerlie settled by the proprietor & the "people's representatives, In which the provincially Councill used to

*His name was George.

“promulgate bills that were to be past into Laws twentie dayes before the sitting of the assemblie, att the end of which time the assemblie used to meet to Confirm or reject those bills.

“Gentl., You are sensible how much I was ag^t altering anie thing in the charter which was granted us by the proprietor, wtout his knowledge & consent, & how great occasion I had for an Assemblie was & is plain to you, Viz : to answer the Late Queen's Comands in assisting Newyork w^t o^r Quota ag^t o^r Comonemie the French.

“Gentl., I endeavoured to bring the govermt to the method that was ever used in the proprietor's time, before his Excellie Governo^r Fletcher had it, and accordingly, I issued outt writts to forme a provinciall Councill ; In answer wherto you mett & performed by Oathes, attests & Subscriptions, all things necessarie to it ; and then I did my dutie & Laid before you the Late Queen's Letter & his Excellie the Governo^r of Newyork's application to mee for the Quota allotted to this governm^t, expecting you wold have promulgated bills for the raising monie for it, but instead of that your Resolves wer that you were not in aⁿ capacitie to give a full & Satisfactorie answer to so weightie a matter wtout a Generall Assemblie, & most of you Living soe remote from this place, & Harvest drawing on soe neer, that you could not meet unill about the ninth day of Sept^r then next ; And yrfor, did advise mee to Comand the assemblie to meet the said day, to consult & resolve yrupon. And yrfor, it was resolved that the assemblie be conveyened to meet att philadelphia the sd ninth day of Sept^r then next.

“And now Gentl., you are to advise what course to steer to attain to the Chief end of o^r meeting, viz : to answer the Late Queen's Letter, & when that is done & the Ice broken, all other things will be easie.

“Gentl., the Assemblie is come according to appointment ; The first thing wee are to Consider of is the method of preparing and passing Bills. Gentl., Both you of the Councill as well as of Assemblie, are Representatives of the people, both being chosen by them ; I Have not the choice of one member of either, therefore, when I speak to you I speak to the people's Representatives, as much as when I speak to the Assemblie, And wtout yo^r & their Consent, I cannot raise monie, & wtout monie I cannot answer the Queen's Commands. I pray God direct you that what you doe may be to his glorie, the king's honour, & the saftie of this poore province. Gentl. I expect your ans^r.

Adjourned till to-morrow morning.

[10th Sept^r, 1695.

Att a Councill Held att philadelphia die Martis, 10th of Septemb^r, 1695.

PRESENT :

WM. MARKHAM, Esq^r Governo^r und^r Wm. penn, Esq^r & Jn^o Goodson assistant, And all y^e members ut antea.

Cornelius Empson & James Fox, two of the members of Assemblie, Came from the Assemblie, desiring to know of the Go^r when the Assemblie might ye admitted.

The Governo^r answered that hee & Councill were readie to receive them.

In a small time afterwards they all appeared, & presented Edward Shippen for y^r Speaker, of whom the Governo^r did approve.

Then the sd Edward Shippen, Speaker, & all the other members of Assemblie for the Counties of philadelphia, Bucks, Chester, newcastle, kent, & Jn^r Stoaklie & Thomas Oldman, for the Countie of Sussex, subscribed the test, profession of the Christian beliefe & declaration of fidelitie; and the Last foure for the Countie of Sussex, Viz: Joseph Booth, Henrie Malleston, James peterkin & Jonathan Baylie, took the oathes appointed by act of parliam^t to be taken in stead of y^r oathes of allegiance & supremacie, & subscribed the test.

Then the Governo^r Spake to the Assemblie:

"Gentl., you are now qualified for bussines, and that you may the better know yo^r dutie, you shall heare the papers following:" and then desired the Secrie to read their Maties Letters patents restoring M^r penn to his governm^t, which was accordinglie done; Then Go^r penn's Comission to his kinsman, Wm. Markham, to be Go^r und^r him; THEN Go^r penn's Comission to Sam^l Carpenter & John Goodson, or anie of them, to be his assistant; THEN the Late Queen's Letter of y^e 21st of August, 1694, appointing eightie men, with their officers, or the value of the chairges of maintaining the same, to be the measure of the assistance to be given by this province & countrie of newcastle for the defence & securitie of the province of Newyork, Requiring & Comanding o^r proprietor, upon applicaon of the Go^r & Command^r in Chief of the province of Newyork, to send y^r same. THEN His Excellie Benj^a Fletcher, the Go^r of Newyork, his Letter to Go^r Markham of the 15th of Aprill, 1695, demanding from this province the sd 80 men & their officers, wth arms, amunition, & pay for one year, to be att Albanie the 1st of May then next ensuing, or as soon as possible may be. THEN his sd Excellies other Letter of 12th June, 1695, then applying himself to Go^r Markham for the sd Quota of 80 men wth y^r proper officers, or that the value of the chairges for maintaining them be provided & sent to Newyork y^e 1st of Aug^t then next, in obedience to the Comands of her Late Matie. THEN his Excellies other of 3^d 7br., 1695, Renuing his applicaon to Go^r Markham for y^r above assistance in men or monie, with a copie of the mohagues propositions. And then wer read the propositions made by ten of the principall Sachims of the Mohagues Countrie to Go^r fletcher, in the Court house of Albanie, y^e 28th of Aug^t, 1695. And y^a y^e Go^r said: "Gentl., I thought it necessarie to cause the above papers to be read, as the foundation & beginning of yo^r proceedings. I made a speech to the Councill yesterday which they shall have, and they will Resolve into a Committee of the whole house to consider yrof; & M^r Speaker, I desire you to doe the same, y^t you may meet together & give yo^r best concurrent advices in ord^r to answer my sd speech."

Ordered, That the whole members of Councill doe Resolve into a grand Committee of the whole house to Join a grand Committee of the whole members of Assemblie, to consider of an answer to the Go^r speech, att 3 post meridiem, And to make report to-morrow morning.

Adjourned to yth Sept^r, 1695.

[11th Sept^r, 1695.

Att a Councill Held att philadelphia die Mercury, 11th of Septemb^r, 1695.

WM. MARKHAM, Esq^r, Governo^r und^r Wm. penn, Esq^r, and all the members, ut supra, except Wm. Biles.

The Committee to whom the consideraon of an ans^r to the Go^r Speech was comitted, Reported That the Go^r speech to the Councill Having been read to the Assemblie, They did upon the vote putt, agree That they might proceed to Legislaon wtout promulgaon of bills, (as was usuall by the Late Charter,) Considering the present emergencie. They also did upon the vote putt, agree that the power of preparing & proposing bills to be past into Laws may be in the Councill as well as in the Assemblie, (while both are the people's choice.) They did also agree that the Go^r be requested to appoint a Committee of Councill to meet a Committee of the assemblie, To Consider of an answer to the Queen's Letter, & an act of settlement.

THE Governo^r did accordinglie appoint two members of each Countie, Viz: Sam^l Carpenter, Sam^l Richardson, Joseph Growdon, phinehas pemberton, David Lloyd, Caleb pussey, Jn^o donaldson, Richd Halliwell, John Brinklee, Griffith Jones, Wm. Clark & Tho. pemberton, to Join a Committee of the Like number of y^e members of assemblie, to Consider of an ans^r to the Queen's Letter, And his Excellie Go^r Fletcher's demands therupon, & of an act of settlement, to meet at two of the Clock in the afternoon.

[19th Sept^r, 1695.

Att a Councill Held att philadelphia die Jovis, 19th Septemb^r, 1695.

PRESENT:

WM. MARKHAM, esq^r Governo^r und^r Wm. penn, esq^r, & all y^e members except Jn^o Williams & Jn^o Brinkloe.

The Committee to whom the Consideraon of an answer to the Queen's Letter, & his excellie Go^r Fletcher's demands therupon, & of an act of Settlement, was Comitted, Gave in y^r report in answer to the Go^r speech in writting, Which was read, viz: The report of the Committee of certain members of Council & assemblie in answer to the Go^r Speech:

"May it please the Governo'. Wee Having duly Considered thy
 "speech delivered us att the opening of this Assemblie the ninth instant,
 "As also the Late Queen's Letter, dated the 21st of Aug', 1694,
 "together w^t Coll. Fletcher's applicaons for the Quota appointed by
 "the sd Queen to be sent from this governm' for the defence of New-
 "york, and also having perused the minutes & proceedings of the
 "Councill & assemblie for the two Last years, Wee find that the
 "Generall Assemblie in the yeare 1693, in Compliance with the
 "Queen's former Letter, soe farr as the religious psuasion of the
 "major part of them could admitt, did Humblie psent king Wm. &
 "Queen Marie with an assessment of monie upon all estates wthin the
 "sd province & territories for support of this governm', which sd
 "assessm' amounting to about 760lb. this Countrie monie, The nett
 "produce wherof being Computed upon the then Councill book to
 "be about 500lb. st. The greatest part of which wee understand, is
 "gathered & sent to newyork by ord' of Coll. Fletcher, Who having
 "soe much regard to the tender Consciencees of such as might scruple
 "the giving of monie to support warr, did declare before anie assess-
 "ment was agreed on, that what monie should be raised here for
 "support of governm', should not be dipt in blood, (as hee was pleased
 "to phrase it,) which hee afterwards explained upon severall occa-
 "sions, & pticularlie in his speech to the assemblie in the yeare 1694,
 "wherein hee expressed in these words, viz: Gentl. I consider yo'
 "principles that you will not Carie armes nor Levie monie to make
 "warr, tho' for yo' owne defence, yet I hope you will not refuse to
 "feed the hungrie and & cloath the naked; my meaning is to sup-
 "plie those Indian nations w^t such necessaries as may Influence ym
 "to a Continuance of y^r friendshipp to these provinces. Therefore,
 "It is the Opinion of this Committee, that all the monie alreadie
 "raised, or att this time intended to be raised for support of governm',
 "& not expresslie appointed for anie other pticular use, ought to be
 "deemed & taken in stead of the assistance required from this go-
 "vernment, the same being in ans' to the Queen's Letters, soe farr as
 "in Conscience & abilitie wee can Complie therewith, And that the
 "same may be appropriated accordinglie, as the Go', or his deputie
 "for the time being, shall see meet."

The Governo' then told ym, "that if that narrative of what they
 "had done in 1693, relating to the Late Queen's first Letter, might
 "be serviceable to ym, hee should be satisfied yrwt, and yrfor desired
 "as they had begun, soe they wold proceed to give an effectuall
 "answer yrto, & to His Excellie Go' Fletcher's demands yron, by
 "raising of monie."

Then all the members Unanimouslie declared, that it was their
 design to raise monie for the king, To be made use of as nee pleased.

The sd Committee also gave in y^r Report relating to an act of set-
 tlement in writting, which was also read.

Then the Governo' told them "that what they had heard read was
 "but Reports of a Committee, both of members of Councill & assem-
 "blie, & yrfore, It was necessarie y^r y^r whole members of Councill

"should signifie ther acquiescence yrwith. Wherupon the Go^r putt
 "this Vote: all you Gentl. that acquiesce with the two reports now
 "read, stand up & say YEA, all you y^t doe not acquiesce therwith
 "stand up & say NAY." Caried in the affirmative.

Therafter the Go^r Ordered Joseph Growden, Sam^l Richardson,
 david Lloyd, Rich^d Halliwell, Griffith Jones, & Wm. Clarke, to pre-
 sent the said two Reports to the assemble for their acquiescence, and
 after they had done the same, Hee, the Go^r, wold make such observa-
 ons theron as hee should think fitt.

Adjourned to the 20th instant.

[20th Septemb^r, 1695.

Att a Councill Held att philadelphia die Veneris, 20th of Septemb^r,
 1695.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r und^r Wm. Penn, Esq^r. &c., & all the
 members except Anthony Morris, John Williams, & John Brinklee.

The members who wer ordered to present the sd two Reports to
 the Assemblie for their acquiescence, made report that they had
 delivred the sd two reports to the assemblie, who ansred they wold
 Consider the same.

Ordered, that Sam^l Richardson & Wm. Clarke goe to the assem-
 blie & acquaint them That the Governo^r & Councill doe waite^r for
 them.

John Blunston, James Fox, Wm. Rodeney & Edw^d Gibbs brought
 from the assemblie y^e sd two Reports, & told the Go^r & Councill
 that they acquiesced y^rwith, With some few amendments.

Therafter the Gor. Caused the sd two reports, The one relating to
 the Queen's Letter, & the other relating to the act of settlement, to be
 read, ag^t which act of settlement The Go^r made objections to severall
 paragraphs therof.

Ordered that the whole members of Councill doe Resolve into a
 grand Committee of y^e whole house, to join a Grand Committee of the
 whole members of assemblie, to Consider further of proceeding effect-
 uallie to ans^r the Late Queen's Letter, By drawing up a bill for
 raising of monie to answer y^e same, & his Excellie Governo^r Fletch-
 er's demands therupon. And by drawing up another Bill for the ac-
 of settlement.

[27th Septemb^r, 1695.

Att a Councill Held att philadelphia die Veneris, 27th of Septemb^r,
 1695.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r und^r Wm. penn, esq^r. John Good-
 son assistant, & all y^e members of Councill, And all y^e members of
 Assemblie except Nicholas Wallne & John Betts, sick, and daniell
 Brown, dead.

"The Committee to whom the Consideraon of the Late Queen's Letter, By drawing a bill for raising of monie to ans the same, & his Excellie Governo^r Fletcher's demands yrupon, and the act of Settlement, made Report, That they had drawn up the said Bills which had been y^e day before sent to the Governo^r by foure members of Councill for his perusall.

Then the Governo^r said: "Gentl, I yesterday Received from you two bills; The one entitled an act for raising One pennie p. pound & Six Shillings p. head on such as are not otherwise rated y^by, towards the support of governm^t, wherein you propose to give 250lb. for support of governm^t & 300lb. to mee towards my services, and the Surplusage for defraying the debts of the governm^t. The other an act of settlement.

"If you Gentl, the members of Councill & assemblie, are satisfied with those bills as they are, They need not be read over again. But if you, or anie of you, are not, Ile order the reading of them." Wherupon the members of both Councill & assemblie did declare themselves Satisfied w^t ym, & y^t they needed not be read over again.

Then the Governo^r said: "Gentl, You have delivred mee these two bills together, as if you meant to tack ym soe the one to the other, as that I must pass both or neither. Gentl, you know I allwise Recommended to you the effectuall Consideraon of, & ans^r to her Late maties Letter, & his Excellie Go^v Fletcher's demands yrupon; This was the prime & principall (if not the onlie) occasion of my calling & of yo^r coming together att this time, (for wee formerlie had Laws enough, & men enough to execute them.) You have indeed in some manner Considred it. But as you have brought these two bills together, it wold seem you wold have ym past together. But Gentl, To be plain & above board with you, If you'll first pass the monie Bill, designed (as you say) to ans^r the Queen's Letter, in what manner & und^r what title you please, Ile give sanction to it, Leaving the bill about the act of settlement to a further debate. Gentl, In the monie Bill you have Considered mee, and I as much thank you as if I had received yo^r offerr; But I desire to be totallie left outt of it, rather than the Late Queen's Letter should remain unanswered. And I assure you Gentl, I shall not assent to the passing of anie bill or bills whatsoever till that be past first."

Then a member of Councill Spake to this effect: that in the parliament of England the people had allwise their priviledges granted to them befor they gave anie monie, & y^t the monie bill used to be the last; & tho' wee can pretend to no equalitie with them, being a poor province, yet we are to proceed in some sense in a parliamentario way in our degree.

Then the Governo^r said: "Gentl, You Have now satt well nigh three weeks & have done next to nothing; The onlie thing I called you for was to answer the Queen's letter, & his Excellie Governo^r Fletcher's demands yrupon. I have oft prest you to it, & do now again."

Wherupon Severall members, one after another, urged the passing the act of settlement, alledging there was no more required by ym in y^e bill than what the proprietor had granted ym befor.

The Governo^r said: "Gentl, I cannot in Honor nor Justice to the proprietor pass this bill or act of settlement, Nor will I. I have sufficient reasons for it, wch I am not obliged to give here. Gentl, As oft as I press you to ans^r the Late Queen's Letter for the supplie of Newyork, yo^r ans^r to mee is that yo^r priviledges ought to be confirmed to you. I never did, nor ever shall endeavour to diminish them.

But Gentl, Since there's no Likelihood of obtaining from you anie ans^r to the Late Queen's Letter, nor to his Excellie Go^d Fletcher's demands therupon, Unless Ile enter upon & grant you a Charter of priviledges, I dissolve you, & you are hereby dissolved.

The end of the third session of Councill & Assemblie.

[PHILADELPHIA, 25th Sept^r, 1696.

Att a Council Held at philadelphia Die Veneris, y^e 25th day of Sept^r Anno R: R: Gulielmi tertij nunc Angliæ, &c. Octavo Annoq dui, 1696.

PRESENT :

WILLIAM MARKHAM, Esq^r., Governo^r. und^r Wm. Penn, Esq^r.

Edward Shippen,	Jasper Yeates,	John Brinkloe,
Anthony Morris,	Richard Halliwell,	John Hill,
David LLOYD,		pat. Robinson, Secry.

Jasper Yeates, Richard Halliwell, Jn^o Brinkloe, Jn^o Hill & pat Robinson, took the oathes appointed by act of parliamt to be taken in Stead of the Oathes of allegiance & Supremacy, & Subt. the test. Edward Shippen, Anth. Morris & david Lloyd did subscribe the declaraon of fidelity, profession of the Christian faith & the Test, and all of them promised fidelitie to Wm. penn, proprietor & Governo^r of y^e sd province, & Secrisie in all matters that should be secretly treated of in Council.

Then in respect the provincial Court was a Sitting, & that one of the members of Council was a provincial Judge, & y^e two members appointed to attend as Counsellors wer not yet come to town, The Governor

Adjourned to 28th instant.

[28th Sept^r, 1696.

Att a Council Held att philadelphia die Lunæ, 28th September, 1696.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r, &c. et ysdem ut supra.

The Governo^r said: "Gentl, Att o^r last meetting the provincial Court requiring the attendance of some of you, I could then proceed no farther than to administer to some of you the Oathes, &c., & to see you subscribe the test, And to see others subscribe the declaration of fidelitie & profession of the Christian faith & test. I think it necessary to take the same my selfe, which I desire you to administer to me, & tho' I have taken ym before, yet I think it requisite to take ym again, becaus there is some alteraon in the frame of o^r go-vernmt since I Last took ym." To which some of the members answered, that since they could not take an oath ymselves, they could not administer one to others. Wherupon the Governo^r desired the Secrie to administer the same to him, which he did, and accordingly the Go^r took the oathes appointed by act of parliamt to be taken in sted of the oathes of allegiance & Supremacie, and subscribed the Test.

Then the Governo^r said: "Gentl. I had not been so long wtout a Council, but that I expected orders from o^r proprietor & Chief Governo^r, (having given him an exact & true acco^r of the state of his governm^t from the time he has been pleased to Comitt it to my care.) But by his Lyres, I perceive some of mine have been taken by the French & others, soe delayed by the Long stay of the shippes wherein they went, that they were not come to hand before this Last Virginia fleet came from England. But Having Received severall orders & Instructions, both from the Honble The Lords of the Council & the Com^rs of his Matjes Customs, with an act of parliam^t for preventing fraud & regulating abuses in the plantaon, & strict chairge & Comand from the proprietor & Chief Governo^r, vigorouslie to putt the same in execuon. All which I desire the secrie to read."

Then the secrie read The Copie of the Com^rs of his maties Customs, their report to the Lords spiritual & Temporal, in parliam^t assembled, what may be the proper means to remedie the Inconveniencies arising from the scotch act to the trade & navigaon of England, dated 12th decemb^r, 1695; And the Copie of their Lords & y^e Comons, in parliam^t assembled, their address to his matie, representing to him the great advantages yrby granted to the scotch Compa, & the obstructions that the sd act will bring to the general trade of the nation of England, &c. As also, his maties most gracious answer to the sd address. As also, the Com^rs of his matjes Customs, their Lett^r to the Governo^r of this province, requiring him striellie to observe & put in execuon all the Laws of trade & navigaon, dated 9th Janry, 1695-6. As also, the Lo^r of Council, their Lett^r to the Comand^r in Chief of this province of 13th febry, 1695-6, to see the acts of trade executed according to the sd Com^rs of y^e Customs, their sd Letter.

As also, the act of parliam^t made in the 7th & 8th year of king Wm. the third, Entitled, an act for preventing frauds & regulating abuses in the plantaon trade. As also, the Lo^t of Council, their Lett^r to Wm. penn, p^roprietor of this province, Requiring him in his matjes name, to take care that the sd act past in the sd 7th & 8th year of his reign, & all other Laws made for the encouragement of navigaon & the securing the plantaon trade, be duly publisht within this his sd province & Country of Newcastle, & strictlie putt in execuon by all whom it may concern, dated 15th April, 1696. As also, the Lords of Council, their Lett^r to the Governo^r of this province to putt themselves in a posture of defence ag^t the attempts of the French, dated 20th April, 1696. As also, y^e sd Wm. penn his Lett^r to Wm. Markham, his deputie Go^r, desiring him to be vigorous and carefull to Comply w^t the Laws of trade & navigaon. All which having been read,

“The Governo^r said: “I have therefore, being well satisfied in “yo^r Loyaltie & allegiance to his matie king Wm. & of yo^r fidelity “to the propri^{et}or, made choice of you for his Council, the number “of which is not to exceed Twelve, & no Less than five to be a “Quorum. I know you are all men that are fastned to the Country “by visible estates, I mean such as the Law calls Real estates, of “which each of you have a plentiful portion, & thats a great securitie “that you will study the Interest of the Country, & will advise me “in what you believe to be for the saftie & preservaon of it; and let “me tell you, that nothing can be more for yo^r preservaon & securitie, “nor recommend you more to his matie, than yo^r diligent observaon “and execuon of his Laws & orders. In this I doe not speak to you “only as a Council, but also as you are magistrats, & as such that “you will have a special care in yo^r respective Counties, that nothing be done to the Contrarie, or in violation of them, but that you “be diligent to see ym d^ulie executed; and this is not only a dutie to “yo^r Sovereign, but a Justice incumbent upon all Honest men & “Lovers of their Country.

“The proprieto^r advises mee that hee has wrote to some friends “about his Excelly Governor fletcher’s objection about men or money. “If anie of you know the Contents of that Lett^r, & that it be convenient, I desire you will acquaint the board with it; perhaps it may “his Excelly Go^r fletcher satisfaction. I have Sea’ll Lres from him “since the Last assembly, demanding our Quota; but you all know “I could make no Satisfactorie answer wtout money. To answer all “these things to purpose, and to putt this governm^t in a better posture “of defence & securitie than it is att present, I find it absolutlie necessary that there be an assembly called with all convenient speed. “Wherein I desire yo^r advice.”

The members of Council did Unanimouslie advise the Governo^r to call an assembly.

Wherupon the Go^r ordered the seerie to prepare writts to be Issued to the sheriffs of the Seall Counties, to Sumon the people to meet in the usual places upon the Sixteenth of Octob^r next, & the Counties of philadelphia & newcastle, to choose for each of them foure persons to serve in Assembly, & the other four Counties to choose for

each of them three persons to serve in Assembly, to meet the 26th day of the sd mo. Which the secrie accordingly did.

Adjourned to 26th of Octob^r next.

[26th Octob^r, 1696.

Att a Council Held att philadelphia die Lunæ, 26th Octob^r, 1696.

PRESENT:

WILLIAM MARKHAM Esq^r. Governo^r, &c.

Edward Shippen,	david Lloyd,	John Hill,
Anthony Morris,	John Brinkloe,	pat. Robinson.

John donaldson took the usual oathes, &c., & Subt the test. Wm. Clarke did subscribe the declaraon of fidelitie, profession of the Christian faith & the test, & both promised fidelitie to Wm. penn & secrie in debate, & took their places att the bo. d.

Therafter John Goodson, who had been by Comission from the proprietor appointed assistant to Go^r Markham, Came into Council and desired of the Governo^r to be acquitted of his assistanceshipp, To which the Governo^r acquiesced.

In respect all the members of assembly wer not come to town, the Governo^r adjourned the Council to three in the afternoon.

Adjourned to 3 in the afternoon.

[28th Octob^r, 1696.

Att a Council Held att philadelphia die Mercury, 28th October, 1696. Hora tertia, post meridiem.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r, &c.

Edward Shippen,	John Brinckloe,	John Hill,
Anthony Morris,	Jn ^o donaldson,	Jasper Yeates,
David Lloyd,	William Clarke,	pat. Robinson.

Upon the memorial of the Honble Andrew Hamilton, Esq^r. Go^r of the Jersies, & post master generall, &c. to the Go^r & Council, Setting forth that it was formerlie with great difficultie that the post could goe to philadelphia by Land, to the great inconveniencie of Correspondence & trade, And y^t for remedie whereof, & accomodaon of Travellers, a ferry had been erected on Jersie side att a great chaarge, but that the way was not yet returned from the Landing on pennsilvania side to the king's road, w^{ch} is about three Quarters of a mile & easily cleared; And therefore, Requesting the Governo^r & Council to approve the said road, and give the necessarie orders for clearing it.

MINUTES OF THE

Ordered, that a warrantt be directed from the Governo^r to Thomas fairman, Surveyor, To lay outt the king's road from dunck William's Landing, (the nearest & most convenient y^t may be had, & Least prejudicial to the Lands and improvments of the neighbourhood,) Into the king's great road that Leads to philadelphia, and that a Return in words, of the Courses & protracted figure therof, be made Into the Seceries office, in order to be filed & recorded there, as a finall Confirmaon therof. And that the Justices of the peace for the County of Bucks, be by the Governo^r requested to order the overseers of y^e Highways in that County to make good & clear the same wth all expedition.

[29th Octob^r, 1696.

Att a Councill Held att philadelphia die Jovis, 29th October, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^r., Governo^r, &c., et ysdem ut supra, &c.

Upon the petion of divers Inhabitants of the Town of philadelphia, to the Go^r & Council, Requesting them to grant an order for the Laying outt a sufficient Road, the nearest & best that may be had from the Lowermost ferry upon Skuikill, Comonlie called Benjamin Chambers' ferry, Into the Town of Philadelphia.

Ordered, That a warrant be directed from the Governo^r to Thomas fairman, Surveyor, to Lay outt the king's road from the sd ferry, the nearest, best & most convenient that may be had, & Least prejudicial to the Lands & Improvments of the nighbourhood, To Come into the southermost street of the town of philadelphia, & which street runns from delaware river to the Skuikill, And that a return in words, of the Courses & protracted figure therof be made into the Seceries office, In ord^r to be filed and Recorded there, as a final Confirmaon thereof.

Upon the petion of diverse Inhabitants of y^e sd town of philadelphia to the Go^r & Council, Requesting ym to grant an Ord^r for Laying outt a sufficient road from the north side of the sd ferry, the nearest & must convenient that may be had, To Hertford towne.

Ordered, that a warr^t be directed from the Governo^r to Thomas fairman, Surveyor, to Lay outt a Road from the west side of the sd ferry, to goe as farr in the road that leads to Darby as may be, and from thence the nearest, best and most convenient that may be had, & Least prejudicial to the Lands & Improvments of the neighbourhood to the town of Hertford; and that a return in words, of the Courses & protracted figure therof, be made Into the seceries office, In order to be filed & recorded there as a final Confirmaon thereof.

Upon reading the petion of Thomas Hollingsworth to the Governo^r and Council, Requesting ym to grant an ord^r for Laying outt a Road from New worke, in Newcastle Countie, To Jn^o Bucklies', Oliver

Copes', Jn^o preus', Jn^o Clouds', Wm. Rossen, Naaman's Creek, and thence to Hans Justice's, & so to the king's road in Chester Countie. And to grant another road from Jeremiah Clouds' in Newcastle county, to John Bucklies, & from thence to delaware river.

Ordered, that a warrant be directed from the Governo^r To Thomas pierson, surveyor, to Lay outt the sd Roads the nearest and most convenient that may be had, & Least prejudicial to the Lands & Improvments of the nighbourhood, and that a Return in words, of the Courses & protracted figures of the same be made Into the seceries office, In ord^r to be filed & Recorded there as a final Confirmaon thereof.

[Oxford petition for Two Roads & a Branch, &c.

Upon reading the petition of the nighbourhood and adjacent Inhabitants of Oxford Townshipp, in the Countie of philadelphia, Requesting the Governo^r & Council to settle upon ym & the publick, two roads, & a branch of a road: The first beginning att a white Oak, neer the bridge over Thomas p^rsons water mill race, and thence to the Bristoll Townshipp, according to the Return of the Courses thereof to the sd petition annext, and protracted figure of the same. The second Beginning att Richard Dungworth's mill, Leading to Thomas pson's grist mill, Lying & being att Franckford, according to the Return of the Courses thereof & protracted figure of the same, to the sd petition also annext. As also, a Branch of the said Road beginning att a white Oak, in Rich^d Buzbies Land, neer Jn^o Wells' Log-house, Leading to the extent of the bounds of Oxford townshipp, according to the Return of the courses therof & protracted figure of the same, to the sd petition also annext.

[Answered.

Resolved, That the sd two roads & branches of a road, Bounded as is particularlie mentioned in the Returns thereof made by John Harper, surveyor, & who surveyed the same by the Consent, approbaon & with the assistance of the nighbourhood, Be, and shall hereafter be Reputed and taken for the sd roads & branch, And that the Seceries Recording of the sd returns thereof, & fileing up the same, & the protracted figures therof, shall be a final Confirmation of the said two roads & branch.

Adjourned to 31st instant.

JOHN HARPER, Jun^r.

[Record of The Road from ——— and Dungworth's mill To The personal grist mill]

Att a Council Held att philadelphia Die Saturni, 31st October, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^r., Governo^r, &c.

Edward Shippen,

William Clarke,

John Hill,

Anthony Morris,

John Brinckloe,

pat. Robinson.

David Lloyd,

Upon Reading the petition of Samⁿ Atkins against Edmond dutton,

Ordered that att or before the first day of decemb^r next, the petition^r, Samⁿ Atkins, pay to the sd Edmond Dutton, the sum of Twelve pounds, Silver monie, as was awarded him, with all the Legal charges that have accrued upon the suits upon the bonds of arbitraon, both att the Countie & provincial Courts, and that the same soe paid, be in full satisfacon to the sd Edmond Dutton, of all sum & sums of monie due to the sd Edmond by reason of the sd arbitraon, bond, Judgment and execuon following thereupon, and that after paym^t of the sd sum & charges, as aforesaid, an ord^r from the Go^r, to be directed to the sheriff of the Countie of philadelphia, To make restitution to the petitioner of all goods, chattells, Lotts, Lands & Tene-ments that hee has taken in execuon upon the sd Judgmts; Because the sd execuon did Improvidently Issue forth.

[Record of The Road from Tho. Parsons' water bridge Race to Oxford, in Oxford Creek, behind Danⁿ Street's house.

The ninth of the Eighth moneth, 1695.

The observations and mensurations then taken in a Road between Thomas parsons' water Race bridge, and the ford in Oxford Creek, behind Daniel Streets' House, by mee actually measured, Then Having in Company the Inhabitants of the aforesaid Townshipp; Beginning att a white oak neer the said parsons' water Race bridge, North-west thirteen degrees, twenty-two pearches; Thence north west Twenty degrees, Sixty pearches; Thence north-east Twenty-five degrees, fifty-two pearches; Thence north-west Twelve degrees, fifteen minuts, fourty pearches; Thence north-west seven degrees, Twenty-four pearches; Thence north-east forty-three degrees, fifteen minuts, ten pearches; Thence north-east Sixty-seven degrees, thirty minutes, Sixtie-eight pearches; Thence north-east forty-one degrees, Twenty minutes, Seventeen pearches; Thence north-west ten degrees, eight pearches; Thence north-west Twenty-Seven degrees, Thirty minutes, one Hundred & Twelve pearches; Then north-west fifty-Six degrees, Thirty minutes, thirty-four pearches; Thence north-west forty-one degrees, fifteen minutes, fifty-two pearches; Thence north-west Twenty-nine degrees, forty-nine pearches; Thence north-west thirty-eight degrees, fifteen minutes, Seventy pearches; Thence north-west fifteen degrees, fifteen minutes, One Hundred & forty pearches; p. me,

JOHN HARPER, Junior.

[Record of The Road from Richd Dungworth's mill To Tho. parsons' grist mill.

The ninth day of the Eight moneth, 1695. The observaons & mensuraons then taken in a Road, Between Richard Dungworth's mill & the king's Road, by me actually measured, then Having in Company the Inhabitants of the oxford Townshipp, Beginning att the said mill South-east six degrees, Twenty-eight pearches; Thence south-east fiftie-five degrees, ninteen pearches; Thence south-east thirteen degrees, eighty pearches & ten links; Thence south-east thirty-six degrees, Twenty-nine pearches; Thence south-east fifteen degrees, thirty pearches; Thence south-west six degrees, Twenty pearches;

Thence south-east five degrees, Seventy-two pearches; Thence south-west eight degrees, fifteen minutes, fiftie-eight pearches; Thence south-east Twenty-six degrees, ten minutes, seventy-four pearches; Thence south fourty pearches; Thence south-west twenty-four degrees, fifty minutes, fourty-four pearches; Thence south-east nine degrees, forty-four pearches; Thence south-east fifty-four degrees, twenty-eight pearches; Then south-east twenty-three degrees, eighteen pearches; Thence south-west three degrees, thirty pearches; Thence south-west nineteen degrees, seventy-eight pearches; Thence south-east eleven degrees, thirty minutes, seventy-Two pearches; Thence south-west Twenty-eight degrees, thirty minutes, Twentie-four pearches; Thence south-west Two degrees, One Hundred and Twelve pearches; The king's Road South-west fourty-five degrees.

[Record of A Branch out of said Road.

As also a Branch out of the Road aforesaid, Beginning at a white oak in Richard Buzby's Land; Thence north-east thirty-four degrees, seventy-two pearches; Thence north-east Ten degrees, fifty minutes, thirty-five pearches; Thence north-east Twenty-three degrees, four-six pearches; Thence north-east three degrees, ten minutes, fifty-nine pearches; Thence north-east ten degrees, thirty-five minutes, ninty-six pearches; Thence north-east thirtie-three degrees, fifty-five minutes, fity-six pearches; p. me,

JOHN HARPER, Junior.

[Record of the Road from dunken Williams' Landing To The old king's Road.

By virtue of the Governor's speciall warrant, bearing date y^e 28th day of October, 1696, to mee directed, psuant to an order of the Governo^r & Council, granted upon the applicaon of Andrew Hamilton, esq^r. Governo^r of y^e Jersies & post m^r generall, I Have surveyed & Laid outt the king's roade from y^e Landing of dunken Williams, on delaware, in the Countie of Bucks & province of pennsylvania, Beginning there at a spanish oak att High water mark; thence sixtie foot broad, extending North North-west on each side the Line, dividing betwixt the Land of the sd duncken Williams & Nathaniel Harding, Two Hundred pearches; Thence in the sd duncken's Land, north eightie-One degrees, westerlie fourtie pearches; Thence north sixtie-four degrees, westerly sixtie-two pearches, Unto the old king's Roade which Leads to philadelphia, & Hath been ancientlie Surveyed & Returned. The

Janry, 1696, p. me,

THO. FFAIRMAN, Survey^r.

PROVINCE OF PENNSILVANIA & TERRITORIES.

Minutes of Council in the Assembly, Anno R. R. Gulielmi, Tety nunc Angliæ, &c. Octavo.

[26th October, 1696.

Att a Councill Held att philadelphia Die Lunæ, 26th Octob^r, 1696, hora tertia post meridiem.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r under Wm. penn, Esq^r. &c.

Edward Shippen, Jasper Yeates, Wm. Clarke,

Anthony Morris, John Mill, Jno. Donaldson,

David Lloyd, John Brinckloe, pat. Robinson.

The Representatives Returned to serve in Assembly, by Sam^l Richardson & Wm. Rodeney, acquainted the Governo^r that they wer readie to make their appearance, who told them that hee waited for them.

After some time Sam^l Richardson, James Fox & Nicholas Walne, (Sam^l Carpenter absent,) for the Countie of philadelphia; Wm. Biles, Joshua Hoops & Wm. paxton for the Countie of Bucks; John Simcocke, Jn^o Blumston & Caleb pussey for the Countie of Chester; John Hussey, Cornelius Empson and George Hogg for the Countie of Newcastle; Wm. Morton, (Richd Willson absent,) for the Countie of kent, (Thomas pemberton & Roger Corbet for the Countie of Sussex, absent.) All those present did subscribe the declaracon of fidelitie & profession of the Christian beleife & the Test. Adam peterson for Newcastle, Wm. Rodeney for kent, & Jn^o Meirs for Sussex; and took the oathes appointed by act of parliamt to be taken instead of the oathes of allegiance & supremacie, & Subt. the test. The repsentatives appearing, being thus Qualified, The Governo^r said: Gentl., I desire you to goe together & choose yo^r Speaker, & present him to mee to-morrow morning att ten of the Clock.

Adjourned to 27th instant.

[27th Octob^r, 1696.

Att a Council Held att philadelphia die Martis, 27th October, 1696.

PRESENT:

WM. MARKHAM, Esq^r. &c. et ysdem ut supra.

Cornelius Empson & Wm. Rodeney, from the assembly, told the Governo^r that they wer readie to waite upon him; Who answered that hee & Council had expected them a Long time, & desired they might come. Who accordingly came, and presented John Simcocke for their Speaker; Who having disabled himself, Hee desired the Governo^r to Command the assembly to choose another in respect he was antient, & that there wer more fitt psons for that trust than hee among the Representatives. To whom the Governo^r answerd, that hee was well satisfied in the choice.

Then the Governo^r said: Gent, The effectuall Consideraon of her Late matjes Letter was the chief occasion of my calling the last Council & assembly, and seeing att that time nothing was done to ans^r the same, and that the Quota of men, &c. therein exprest to be given by this province to Newyorke, Hath been often demanded of us by Governo^r fletcher, Therefore, I propose it to you now as the first thing

to be Considered. The second thing I Recomend to yo^r Consideraon is the Securitie & defense of this province & territories, & that the rather, because when his matie was pleased to restore M^r penn to his governmt, Hee gave his Matie good assurance that hee wold take care of the governm^t of the same, & would provide for the safte & securitie therof all that in him Lay; To Inforce both which, the Go^r desired the Secrie to read his matjes Lres patents unde^r the great seal of England, restoring M^r penn to his governmt & her Late matjes Letter: which hee did, & delivred Copies of both to the assembly for their greater ease & satisfaction

Adjourned to 28th instant.

[28th Octobr, 1696.

Att a Council Held att philadelphia die Mercury, 28th October, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^r, Governo^r &c. et ysdem ut supra, except Jn^o Donaldson—sick att philad.

The Governo^r told the Council that Hee had received His Excellie Go^r fletcher's speech to the assembly of newyorke, dated 16th instant, which had some relaon to the first thing by him recommended to the assembly, viz: The Consideraon of the Late Queen's Lett^r for the Quota to be sent by this province to Newyork, and askt the advice of the Council, whether to Lay it before the Assembly. The Council advised him to lay it before them.

Adjourned to 3 post meridiem.

POST MERID.

Att a Council Held att philadelphia, Hora tertia post meridiem.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r, &c., et ysdem ut antea, except ut antea.

The Governo^r Ordered Wm. Clarke & pat. Robinson to acquaint the Assembly to attend him forthwith, which they two accordingly performed, & told the Governo^r they wold wait upon him. M^r Speaker & the members of Assembly appearing,

The Go^r said: "Gentl, You may Remember that the 27th instant "I recomend to you the effectual Consideraon of the late Queen's "Lett^r, & his Excellie the Go^r of newyorke, his demands of the Quoto "therin mentioned, to be sent for the assistance of newyork from this "province. Since which, I have received the sd Go^r fletcher's speech "to the assembly of newyork, dated the 16th instant, which had some

"relation to that matter, which I give you, that thereby you may
 "see the pressures of that province, & the great occasion they Have
 "of men & monie, & of food & rayment, to be given to those nations
 "of Indians that Have Latelie suffered extreamlie by the French,
 "which is a fair opportunitie for you (y^e for Conscience cannot Con-
 "tribute to warr) to raise monie for that occasion, be it und^r the
 "Colour of support of governm^t, or of reliefe of those Indians, or
 "what else you may call it. The Speaker said they wold Consider
 "of it."

Adjourned to 30th instant.

[30th Octob^r, 1696.

Att a Council Held att philadelphia die Veneris, 30th Octob^r, 1696.

PRESENT:

WM. MARKHAM, Esq^r, Governo^r, &c.

Edward Shippen,

Jn^o Brinckloe,

John Hill, &

Antho. Morris,

Wm. Clark,

pat. Robinson.

David Lloyd,

The Go^r acquainted the Council that yesterday Hee had received a Lett^r from his Excell^y Go^r fletcher, of Newyork, demanding the Quota assigned for this province & newcastle; which hee caused the Secrie to read, and then ask the advice of the Council, whether to send for the assembly & communicate the same to them. The Council advised him so to do.

Ordered, that John Hill & Jn^o Brinckloe acquaint the assembly to attend y^e Go^r forthwith, Who reported that the Assembly wold wait upon him speedilie.

Then the assembly desired admittance, and wer accordingly admitted.

Then the Governo^r said: "M^r Speaker & you Gentl. of the assembly, you are a verie silent & close Assembly, which I believe proceeds from some jealousies you may have that I intend to take away yo^r Charter. M^r Goodson relinquished his assistanceshipp to me, that Arthur Cook might take it up, by presenting to mee a Comission from the proprietor to me, which hee had kept hid from mee these 18 mo's past, & w^{ch} authorized me to act according to Law & Charter, & by another to Sam^l Jennings & Arthur Cook, to be my assistants, which they also kept hid from mee the Like time. Gentl, After the proprietor had his Governm^t restored to him, I was of opinion that his Charter to you was in force, and I then called you together according to it, (except in the day,) & endeavored to putt the governm^t in that frame it was in before it was taken from him, & no man more asserted the powers of the Charter than I did, and am still readie to doe; But the then Representatives wer of opinion that it Could not be Reassumed but by a Legislative authoritie.

Adjourned to 4 next meridiem.

"which was a thing of too great moment for mee to have done
 "wtout advice from the proprietor, who gave the Charter; and since
 "att that time you owned not yo'selves to a provincial Charteral
 "Councill, It was then in my power to dissolve you, which I did.
 "Gentl, no man ever heard mee say that the Charter was void, &
 "no man stood more for the defence of it than myself. And had
 "that Comission which M^r Cook now presents to mee from the proprie-
 "tor, which authorizes mee to act by Law & Charter, been the first
 "presented to mee, I could not even by it, have acted more Charter-
 "allie than I did by that by which I then & now act, which authori-
 "zes mee to act according to the Laws & Usages. And since you
 "say that the Charter cannot be put into act & motion wtout a Legis-
 "lative authoritie, If I had power or Instructions from the proprietor
 "to doe it I wold most willinglie; But yet for all that, care must be
 "taken ffor the governm', and if by Charter I can doe nothing by the
 "king's Letters patents, I must, seeing the emergencie of affairs, call
 "for it with all dispatch. Gentl, If there be any thing you wold
 "have me do that may secure anie right or claime you have in Law
 "or equitie to that Charter, or anie part of it, (besids putting it in
 "force wtout the proprietor,) P^{le} offerr that nothing you doe this
 "sessions shall be any manner of way prejudicial to yo' claime or
 "right to the same.

"Gentl, Its above 12 mo's since I called an Assembly, & indeed
 "I was backward to call one, knowing how fond you wer of the
 "Charter, Hoping to Have Heard from the proprietor; but now the
 "emergencies being such that I could no Longer delay the calling
 "you, I have now called you according to the king's Lres patents to
 "M^r penn, & as neer as I can according to the Customs of the neigh-
 "bouring provinces. Gentl, yesterday I received a Lett^r from his
 "Excellie Go^t fletcher, demanding o^r Quota, &c." Which the Go^t
 "ordered the Secrie to read, w^{ch} was done, & delivred to the assemblee
 "for their Consideraon.

Then the Speaker of the Assemblee presented to the Govern^r a
 paper of this tenor, viz:

"To the Governo^r & Council. Wheras, the Go^t has been pleased
 "to convene us by his writts, tho' not in the form of Charter, as wee
 "could desire, Wee have obeyed the same & considred what he has
 "laid before us, Viz: an ans^r to the Late Queen's Letter, & o^r pro-
 "prietor's promise upon his restoration to his governt, And wee are
 "heartilie & Unanimouslie willing & ready to perform o^r duties
 "therein so farr as in us Lyes, If the Go^t wold be pleased to settle
 "us in o^r former Constituon enjoyed by us before this governt was
 "comitted to Go^t fletcher's trust. Signed by order of the assemblee.
 JOHN SIMCOCKE, Speaker."

Then the Go^t said: "Gentl., What I have said to you but now
 "Contains a sufficient ans^r to this message, Soe I need not repeat it
 "again. And Gentl, you may make what Salvo you please to secure
 "your Charter, so that nothing that shall now be done shall prejudice
 "your Charter & claime to it, and Ile consent to it, but I cannot give it
 "you for want of power."

Adjourned to 4 post meridiem.

POST MERIDIEM.

Att a Council Held att philadelphia Hora Quarta, post meridiem.

PRESENT:

WILLIAM MARKHAM, Esq^r. Governo^r, &c. et ysdem ut supra.

Two members from the assembly acquainted the Governo^r that the assemblee desired a Conference with some of the members of Council, Whereupon the Go^r appointed Wm. Clark, David Loyd, John Hill & pat. Robinson, to join a Committee of the assemblee, In order to Consider what expedient they may find outt to secure to the people their Charter, Liberties & priviledges, if the assemblee will att this time raise monie to ans^r the Queen's Letter for the assistance of newyorke, and to meet to-morrow morning.

Adjourned to 31st instant.

[31st Octob^r, 1696.

Att a Council Held att philadelphia Die Saturni, 31st Octob^r, 1696.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r, &c., et ysdem ut Supra.

William Clarke (who was Chairman of the sd Committee) made report to the Governo^r & Council in writting, viz: att a Committee held att philadelphia the 31st instant: psent for y^e Council W. Clark, David Lloyd, Jn^o Hill & pat. Robinson; for the assemblee, Cornelius Empson, Wm. Biles, Sam^l Richardson, Wm. Rodeney, Caleb pussey, Jn^o Miers, Jn^o Blunston, Sam^l Carpenter. The matter Comitted to Consideraon being, what may be the best expedient to ans^r the Queen's Letter & preserve the people's priviledges Considering the Governor's ans^r to the assemblee yesterday.

After a full Consideraon & debate therupon, It is the Opinion of the Committee that money may be raised to ans^r the Queen's Lres, with this proviso: That the Go^r, att the request of y^e assembly, will be pleased to pass an act with a salvo to the proprietor & the people, and that hee will also Issue outt his writts for choosing a full number of representatives on the tenth day of the first mo. next, To serve in provinciall Councill & assemblee, according to Charter, untill the proprietor's pleasure be known therein, and if the proprietor shall disapprove of the same, that then such act shall be void & no wise prejudicial to him nor the people, In relation to the validitie or Invaliditie of the Charter. And y^e sd Wm. Clark further Reported, that the Assemblee have Caried the sd report to the assemblee for their acquiescence to the same.

Then the Go^r desired pat. Robinson to acquaint the assemblee that the Governo^r waits for them, who returned that they wold wait upon him speedily.

The assemblee appearing, M^r Speaker presented to the Governo^r

the said Report, with this addition, viz : The assembly having approved of this report, Humbly request the Governo^r to Consider the same and Concurr therein. Signed in behalf of the assembly, y^e 31st day of the 8th mo., 1696. JN^o SIMCOCKE, Speaker.

Adjourned to 3^d Novemb^r, 1696.

[3^d Novemb^r, 1696.

Att a Council Held att philadelphia Die Martis, 3^d Nov^r, 1696.

PRESENT:

WILLIAM MARKHAM, Esq^r, Governo^r.

Edward Shippen,	Jasper Yeates,	John Hill,
Anthony Morris,	John Brinckloe,	pat. Robinson.
David Lloyd,	Wm. Clarke,	

The Governor said: Gentl, I here propose to you a frame of governm^t much the same w^t the Charter, but with some emendaons & alteraons, which I think to present to y^e assembly, & yrfore desired Jn^o Hill & Jn^o Brinckloe to acquaint them that hee waits for them who return that they will wait on him forthwith.

The assemblie appearing, The Go^r said: M^r Speaker & you Gentl. of assemblie, I have Considered the Report of the Committee & yor acquiescence w^t it, have drawn up some heads of a frame of governm^t with some emendations & alteraons from y^e Charter, w^{ch} I give you, & desire you to Consider of it & draw it up into a bill, & then I will Consider whether to pass it into an act or not.

Adjourned to 7th 9b^r, 1696.

[7th Novemb^r, 1696.

Att a Council Held att philadelphia Die Saturni, 7th Novemb^r, 1696.

PRESENT:

WM. MARKHAM Esq^r, Governo^r, &c., et ysdem ut supra, except Jasper Yeates.

The Go^r desired pat. Robinson & Jn^o Brinckloe to acquaint the assemblie that hee and Council doe wait for ym, who returned y^t y^e assembly wold wait on him in a verie short time.

The Assemblie appearing, The Speaker presented to the Go^r five bills which had past their house. The Governo^r told ym that hee would cause them to be read & Considred.

Then the Go^r desired the Secrie to read the first bill, which hee did; & ordered the following title to be prefixed to it, viz: The frame of

the govern^t of y^e province of pennsylvania & Territories y^runto belonging. As also, ordered the two Interlineations in page 2^d to be delet. And in page 3^d, instead of the words (three years,) to insert the words (Two years;) and in page 8th, after the words (relating to the peace,) to insert the word (saftie.)

Then the Go^r desired the Secrie to read the second bill, entitled an act for raising One penny per pound, &c. which hee did, and ordered in page 4th the words (support of govern^t and) to be delet; and ordered the Secrie to Cary them back to y^e assembly with the sd amendments, for their perusal.

Adjourned to 2 post meridiem.

POST MERID.

Att a Council held att philadelphia eodiem die, post merid.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r, &c. et ysdem ut supra, except ut supra.

The Go^r desired y^e Secrie to read y^e 3^d bill, entitled an act how to raise Countie Levies, which was approved of. As also the 4th bill, entitled an act for preventing of Hoggs, &c. Running att Large in the town of Chester, wch was approved of. As also y^e 5th bill, entitled An act for preventing of accidents that may happen by fire in the towns of philadelphia & newcastle, wch was approved of.

Then the Go^r desired Jn^r Hill to acquaint the assemblie y^t he waited for ym forthwith.

The assembly appeared & psented to y^e Go^r the first two bills wch they past in their house, wt the amendments proposed. Then the Go^r Caused y^e Secrie read over everie one of y^e sd five bills three times, & to under writ each bill in these words, viz: philad. y^e 7th day of 9br. 1696, this bill being three times read, was assented to by y^e Go^r & Council, and then hee did pass ym all, one after another, by affixing y^rto his hand & Seal of y^e province.

Then y^e Go^r ask't y^e assembly whether they had prepared any other bills for his assent. Who ansred no. Then the Go^r said: Gentl, i doe dissolve you, & you are hereby dissolved.

The end of the 4th Sessions of Council & Assembly.

[20th May, 1697.

Att a Council held att philadelphia die Jovis, A. M. 20th May, 1697.

PRESENT:

WM. MARKHAM, esq. Governo^r und^r Wm. penn. &c., et ysdem ut antea, except ut supra.

The person of Rob^t Chilton, Edmund Lasey & peter Clauson

[PHILADELPHIA 13th May, 1697.

Att a Council Held att philadelphia die Jovis, 13th May, 1697, post merid.

PRESENT :

WM. MARKHAM, Esq^r, Governor under Wm. Penn, absolute proprietarie of y^e province of pennsylvania and the Territories thereunto belonging.

Sam ^l Carpenter,	John Simcocke,	John Curtis,
Edward Shippen,	Caleb pussey,	Wm. Clark,
Joseph Growdon,	peter Alriches,	Jno. Hill,
phineas pemberton,	Richd Halliwell,	pat. Robinson, Secry.

Upon Reading y^e petition of peter Gronendyke, desiring an appeal to the next provincial Court, &c., & full debate yron, It being by the Governo^r put to the vote whether the sd petion ought to be granted; It was caried in y^e negative, nemine contradicente.

Adjourned to 15th May instant.

[15th May, 1697.

Att a Council Held att philadelphia die Sabbati, A. M. 15th May, 1697.

PRESENT :

WM. MARKHAM, Governo^r, und^r Wm. Penn, &c., et ysdemut antea, except peter Alriches.

Sam^l Atkins petion ag^t Edmond Dutton, Requesting the Governo^r & Council again to order y^e said Dutton to receive from him y^e 12lb. yrin mentned & charges, that hee may be eased from His Unreasonable demands & vexatious proceedings, & that his estate may not be any longer Incumbred & may have Libertie to Leass or sell y^e.same, was read.

Ordered, That the Secrie give the sd Edmond Dutton a Copie of the sd petion, and that Hee be summoned to appear befor the Governo^r & Council, To make answer to the same.

Adjourned to y^e 20th May instant.

[20th May, 1697.

Att a Council Held att philadelphia die Jovis, A. M. 20th May, 1697.

PRESENT :

WM. MARKHAM, esq. Governo^r und^r Wm. penn, &c., et ysdem ut antea, except ut supra.

The petion of Rob^t Chinton, Edmund Lassey & peter Clauson

being read, setting forth That they wer Comitted Closs prisoners for sūspition of piracie & felonie, wherof they wer not guiltie, & yrfor desired Releasment, or that bail might be taken for their appearance.

Ordered, that Robt. Snead appear before the Governo^r & Council to-morrow morning, & bring with him his Informaon ag^t the petitioners.

Upon reading the petion of y^e Representatives for the Countie of kent, Setting forth THAT Richard Willson & Wm. Morton, to whom the care of purchasing a piece of Land & building a Court-house for y^e sd Countie att the Head of Jones's Creek, was by the grand Jurie of the said Countie Committed, who have purchased the Land, but denie to be anie further concerned yrin; And therefore, desiring that some other persons that are willing to Compleat such a building, may be appointed, And that the sd Richard Willson & Wm. Morton, Render a just accompt of what they have Received, and how they have disposed the same, &c.

Ordered, THAT the next Countie Court for the said Countie doe appoint two other psons to build the said House, and that the sd Willson & Morton do forthwith accompt with & pay to the said Court, in behalf of y^e Countie, what they have received; And if they Refuse, that the sd Countie Court doe make Return of their Contempt to the Governo^r and Council.

Adjourned to the 21st instant.

[22nd May, 1697.

Att a Council Held att philadelphia Die Sabbati, A. M. 22nd May,

[21st May, 1697.

Att a Council Held att philadelphia Die Veneris, A. M. 21st May, 1697.

PRESENT:

WM. MARKHAM, esq^r., Governo^r under Wm. penn, &c., et ysdem ut antea, Except peter Alriches.

Robert Snead appeared before y^e Governo^r & Councill, who ask't him for his Informaon agt Robt. Chinton, &c. Hee answered that hee had no Informaon nor the proclamaon, but said that hee had sent for y^e proclamaon agt Averie als. Bridgman, and that hee wold no otherwise prosecute the sd Robt Chinton then as a justice of the peace, & that the attornie generall would prosecute, & y^e when the petitioners Came to their triall, Hee would exhibit an Informaon ag^t ym.

The petion of the Representatives for Bucks Countie being read, Setting forth their want of a Convenient Road from y^e Countie of Bucks to philadelphia, & a roade to the ferry att dunken Williams', In manner yrin mentioned, And yrfor Requesting the sd roads to be Laid outt accordinglie; Ordered, That the sd Roads be Laid outt with the Consent of y^e nighbourhood, And that a warrantt be directed to phineas pembedton, Surveyo^r for Laying outt the same accordinglie.

Upon reading the petition of Mary keys, widdow, Relict & adm'r of Richard keys, deceased, setting forth That his psonal estate amounts but to 142lb. 15s. as p. Inventarie, and that shee stands Indebted to severall persons in y^e sum of 191lb. 7s. that is alreadie Come to Her knowledge, and fears more debts yet unknown may come upon her, & finds no bodie indebted to her; Whereby it appears that the sd movable estate will not by farr amount to the paymt of her debts that already appear, farr Less to educate & maintain her & her two poor children: And yrfor Requesting the Governo^r and Council to allow & permitt the petition^r att present to make sale of such part or parts of the real estate as they shall see meet, Towards y^e defraying of such just debts, the educaon of her children, Her owne support, & the better Improvment of y^e Remaind^r of the sd estate to their advantage, According to the Laws and Customs of this province.

Ordered, That Wm. Clarke & Edward Shippen Inspect & examin the within petition and the truth of the allegaons yrof, & make Report to this board y^e 22^d instant.

Adjourned to 22^d instant, Hora 9 A. M.

[22^d May, 1697.

Att a Council Held att philadelphia Die Sabatti, A. M. 22^d May, 1697.

PRESENT:

WILLIAM MARKHAM, esq^r, Governo^r, &c., und^r Wm. penn, et ysdem ut antea, except ut supra.

William Clark & Edward Shippen, to whom the inspection and examinaon of the petition of Marie keys, & of the truth of the allegaons yrof, was Comitted, made Report to the Governo^r & Council, that they have examined the allegaons of the sd petition^r, & do find that shee is Considerably indebted more than the movable estate will defray.

Ordered, That the sd Marie keys be allowed & permitted, and is hereby by the Governo^r & Council, allowed, permitted, authorized & Impowered for y^e present; to make Seal & Conveyance to any persons whatsoever, of the brick house in the Second street in the town of philadelphia, with the Lott of Land & apptenances thereof, & to them & their Heirs & assigns forever, towards the defraying of her & Her sd deced Husband's just debts; The educaon & maintainance of her two children, her own support, & the better Improvment of y^e Remainder of the sd estate to their advantage, according to the Laws & Customs of the said province. To Hold to the said purchasers, & their Heirs & assigns, & to the use and behoof of the sd peha-sers, their Heirs & assigns in fee simple, & estate of Inheritance for ever, &c.

According to a former order from the Governo^r & Council y^e 15th May instant, Edmond Dutton appeared, & being heard to answer the petition of Sam^l Atkins, exhibited ag^t him the said day, and being ask^t why he did not accept of y^e 12lb. when it was tendered to him by y^e sd Sam^l Atkins, according to an ord^r of this board the 31st of Octob^r, 1696. The sd Edmond made answer that the sd Sam^l never made anie such tender, & if hee had, Hee declared that hee never did nor wold accept of y^e same. And Sam^l Atkins Having produced to the Governo^r & Council sufficient prooff of the said tender, (according to the sd former order,) before the Countie Court & att this board, both by writting, & by the knowledge of some of y^e members of Council,

It was ordered, THat the sd Sam^l Atkins doe att the next Countie Court of philadelphia, Consign, deposit & pay the sd sum of 12lb., with all the Legall charges that Have accrued upon the suits upon the bonds of arbitraon, both att the Countie & provinciall Courts, into the hands of Jn^o Claypoole, sheriff of y^e sd Countie, for the use of the said Edmund Dutton, and that the same so Consigned, deposited & paid, be in full satisfaction to the said Edmund, of all sum & sums of monie due by the sd Sam^l Atkins to the sd Edmund Dutton, by reason of the sd arbitration, bond, Judgmt & execuon following therupon; And that after the said Consignment is made, THat an order from the Governo^r, und^r his hand & seal of the province, be directed to the Sheriff of philadelphia, Comanding Him to make Restitution to the said Sam^l Atkins, of all goods, chattels, houses, Tenements, Lotts and Lands, which he has taken in execuon upon the said Judgment, becaus the said execuon did Improvidentlie Issue forth.

Upon Reading the petion of Ann Collins ag^t Jn^o Crapp, Chirurgon, his severe treatment of her, Jn^o Crapp appeared & produced a warrant, und^r y^e Hand & Seal of a Justice of y^e peace, Comanding him to take her Into His particular charge, to be cured of her madness, & declared that hee used her as a patient in that Condion. Ordered y^e y^e petitioner & her complaint be & is referred to the justices of y^e peace of y^e Countie of philadelphia, for relief.

Adjourned to y^e 24th instant, hora 9 A. M.

[24th May, 1697.

Att a Council Held at philadelphia die Lunæ, A. M. 24th May, 1697.

PRESENT:

WM. MARKHAM, esq^r., Governo^r Under Wm. penn, &c. et ysdem ut antea, except ut supra.

Upon Reading the petion of Edward Antill, Setting forth the reasons offered by him ag^t a Judgm^t obtained in a provincial Court held for y^e Countie of Bucks, y^e 15th of April, 1695, wherin Gilbert

Wheeler was appellant, & by which Judgm^t the petitioner alledges hee had wrong done him, & y^e for desiring from the Go^r & Council such Relief as they shall think most just & equitable, both in Law & Conscience, or grant him an appeal for England, as y^e Law directs.

After some debate yron, It was by the Go^r put to y^e vote, whether y^e sd Edward Antill's Case, & y^e Judgm^t given by y^e provincial Judges in the Last Court of equitie in the Countie of Bucks, should be Reheard in y^e next provincial Court in equitie for y^e sd Countie. It was Carried in the affirmative, nemine Contradicente.

Ordered, That the said Case & Judgment be Reheard in the next provincial Court in equitie for y^e sd Countie of Bucks, by y^e Judges to be appointed for y^e said Court.

Upon Reading the petion of Tho. Curtis, messinger of the Council for y^e Last year, and this ss., desiring paym^t, Ordered that the Go^r Issue his warrant to the Receiver, James Fox, to pay the petition^r 5lb. 10s. In the order as the act for Assessment in 1696 prescribes.

Upon Reading the petion of sundrie mer^{ts} of philadelphia, about the naval officers' fees, The same was Recomend^d to y^e Consideraon of the assemblie for ascertaining y^e sd fees.

The Speaker of the assemblie presented to the Go^r & Council a Bill of Charges for their house rent, Clerk & messinger's fees, amounting to

Ordered that the Go^r Issue his warrantt to the Receiver, James Fox, to pay the sd bill, in y^e Order as the Law for y^e sd assessment in 1696 prescribes.

Att & Upon the Request of patrick Robinson, Secrie, that the accot of his services done for y^e publick from the 7th day of 9^{br}. 1696, to the Rysing of this sessions of Council and assemblie, be made up & paym^t made him accordingly.

Ordered, that the sd pat. Robinson's accot of his Services done for y^e publick from the sd 7th day of 9^{br}. to the rysing of this ss. of Council & assembly, be made up at the next meeting of Council, and paym^t ordered him outt of the provincial stock, as soon as it is or can be raised.

Adjourned to y^e 10th of June, to the House of phinehas pemberton, in Bucks Countie.

10th June, 1697.

Att a Council Held att the House of phineas pemberton, 10th June, 1697.

WM. MARKHAM Esq^r. Governo^r under Wm. penn, &c.

Sam^l Carpenter,
Joseph Growdon,

Caleb pussey,
phineas pemberton.

Upon Reading the petion of the Inhabitants & owners of Lands

within the Countie of Bucks, but more especiallie within the Township of Bucks, Setting forth that from the arrival of the English here, divers adventurers settled in that part of the province which was afterwards made into a Countie by the Go^r & Council, who did appoint its Limitts & called it by the name of Bucks, and that the sd Countie has had no market town; And that severalls in the said Countie have Considered of a place for a market town, viz: att the ferry agt Burlington, within the sd township of Buckingham, and that the sd psons have projected the same Into ways & streetts, Having regard to the divisions of divers men's Land by the sd streetts in the sd town as now Laid down; And yrfore Requesting the Governo^r and Council to take it into their Consideraon, & if they approve the sd place, then to modell the sd streets wherein they are not agreeable to their minds, and where they are to approve ym; as also to grant ym a market there weeklie; as also to grant ym the Libertie of wharfing & building to a Convenient distance Into the river & Creek; As also that everie street and opening towards the river & Creek may be allowed to be a publick Landing; As also that the buildings on the banck may be so regulated as ther may be a street under the bank, both to the river & creek, and that the major part of owners of Lands there may have power to appoint two or more psons to see that the sd regulation be observed & kept without anie encroachment; as also that they may have an officer Licensed to Seal all Liquid & dry measures.

The which request being by the Governo^r & Council verie reasonable, It was Resolved that a town be there erected, and the ways & streets to be according to y^e model y^a agreed upon.

Ordered, that a fair draught be made (according to the said modell) by phineas pamberton, Surveyor of y^e ways & streets, & their several names & bearings, to be further Confirmed by the Governo^r and Council.

Ordered, That Jn^o White be licensed to have a seal to seal Liquid and dry measures, according to the sd pition.

Ordered, that a Road be Laid outt from the passage over portquessing Creek to Neshamine Creek, att Joseph Growdon's Landing, in the Land hee Latelie bought of Thomas fairman, & from thence to Buckingham, and thence to Joseph Chorley's house, and thence to the River side; and that a ferrie be settled att the aforesaid place att Neshaminee, and another over delaware, agt the house or Lane of the sd Joseph Chorley, where the road shall be Laid outt.

Ordered, That a bridge in the road over portquessing Creek, be forthwith made new by the Countie of philadelphia & Bucks, att their equall charge.

Ordered, that the said Jos. Chorley Have License to keep the ferrie over delaware, and Jn^o Baldwine over Neshaminee, they giving good securitie to the proprietarie for the performance of their dutie therein.

Ordered, That Wm. Biles & phineas pamberton doe discourse the Inhabitants of West Jersie principallie concerned about Laying outt

the road for Newyork that side the River, and if possible, to miss mill stone river, or to be Laid outt over it in a convenient & safe place.

[12th June, 1697.

Att a Council Held att philadelphia 12th June, 1697.

PRESENT:

WM. MARKHAM, Esq^r. Governo^r under Wm. penn, &c.

Sam^l Carpenter, Caleb pussey, phineas pemberton.
Edward Shippen,

The Governo^r Having read a Letter from Wm. Stoughton, esq^r., Governo^r of y^e Massachusetts bay in Newengland, dated att Boston, y^e 29th May, 1697, in which was inclosed a Copie of his Maties Lett^r to the sd Lt. Go^r, bearing date from kensington, y^e 18th of March, 1696-7, Requesting him to encourage the sending of such provisions, victualls & refreshments, as may be usefull to his maties Shipp^s & Land forces in their expedition to New found Land, In order to the recoverie therof from the french, and the sd Wm. Stoughton's Letter, signifying to the Go^r their inability to ans^r His maties Comands in respect to their scarcitie of provisions, thought it necessarie for His Maties Service to Communicate y^e same to the Governo^r, not doubting of his readines to encourage the sending of such provisions, victualls & refreshments to New found Land, as may be needful for His Maties shipp^s & Land forces employed upon that expedition. Resolved, That the Governo^r Issue his proclamaon Signifying the sd occasion, & yrin to give all encouragement Can be desired by any persons that are willing to export anie provisions, victualls or refreshments to new found Land, for the expedition aforesaid, Which hee accordingly did y^e 17th of June, 1697.

[1st October, 1697.

Att a Council Held att philadelphia the 1st of Octob^r, 1697.

PRESENT:

WM. MARKHAM, esq^r, Governo^r under Wm. Penn, &c.

Sam^l Carpenter, Edward Shippen, Caleb pussey,
Wm. Clark, John Simcoke, Richd. Halliwell,

Upon Reading of the petion of Elizabeth Hooton, widdow, & Elinor Whitfield, Her Servant, that they might come to a Speedy triall, upon a p^{re}sentment brought ag^t them the Last provincial Court, about the death of Charles Goss, The Governor putt it to the vote whether they had any thing to object ag^t their having a speedie triall, or his granting

a Special Comission for y^e same. It was Caried in the negative, ne- mine Contradicente; that is, that they had nothing to object ag^t y^e same.

Ordered, That the Governo^r Issue a Special Commission for the triall of the said Elizabeth Hooton and Helinor Whitfield, her servant.

Upon Reading the petion of Robert Webb, for a Rehearing of George plater's ac'on ag^t him, att the next Countie Court, or befor the provincial Court, The said petion after full debate, was rejected.

Upon Reading the petion of Thomas Curtis, for Clerk of the market & Corder of wood, The same was granted him.

Then the Governo^r said: Gentl, I Latelie received a Letter from His Excelly Francis Nicholson, Governo^r of Marie Land, bearing date y^e 16th of August last. I have forlorne making ans^r to it, Until I had opportunitie to Communicate y^e same to you, in ord^r to have yo^r advice therein, being equallie Concerned in it with my self: Read it. The Clark reads the direction, viz: To the Right Honble Wm. Markham, &c. att philadelphia. Then the Governo^r bid the Clerk read onlie the last paragraph, that being all that concerned ym. The Clerk reads, viz: I hear it's reported that I entered Into Sussex Countie (in which I suppose the whor-kills is) with men & horse, & broke open chests, &c., att which Report I verie much wonder; therfore, desire that you would do that piece of Justice as to send mee under yo^r hand, what you know in that affair. And I think I ought to have it also from under y^e hands of those who are of the Council of pennsylvania, &c. And if these two things are denied mee, You must all excuse mee If I esteem: you all enemies to

FFR. NICHOLSON.

After some debate yrupon, It was Resolved; That seeing the sd Letter was onlie directed to Coll. Wm. Markham, & not to him as Governo^r, nor to the Council of this province; Therfor, y^e members of Council did Humbly offerr it as their opinion to the Governo^r, That they are und^r no obligation to make ans^r; But as they have hitherto done justice to all who adrest ymselves to this board for it, so they shall ever Continue to doe the same.

PROVINCE OF PENNSILVANIA AND TERRITORIES.

Minutes of Council in the Assembly. Anno Ri. Rs. Gulielmi, Terty nunc Anglike, &c. Novo.

[10th May, 1697.

Att a Council Held at philadelphia Die Lunæ, Ante meridiem, 10th May, 1697.

PRESENT:

WM. MARKHAM, esq^r., Governo^r under Wm. Penn, esq^r., absolute proprietor of the province of pennsylvania, and the Territories thereunto belonging.

The sheriff of the Countie of philadelphia his Return of Representatives for Council was produced, whereby it appeared that ther wer elected, Sam^l Carpenter & Edward Shippen, who appeared.

The Sheriff of the Countie of Bucks His Return of Representatives for Council was produced, wherby it appeared that there wer elected, Joseph Growdon & phineas pemberton. The sd phineas appeared.

The Sheriff of the Countie of Chester his Return of representatives for Council was produced, qrby it appeared that there were elected Jn^o Simcocke & Caleb pussey, who appeared.

The said five representatives for y^e sd three Counties did subscribe the declaraoⁿ of fidelitie, The profession of the xtian faith & the test, and took their places att the board.

The sheriff of the Countie of kent his Return of Reprsntatives was produced, qrby it appeared that ther wer elected Griffith Jones & Jn^o Curtis, who appeared; But being unwilling to be Qualified at that time, they wer desired by the Governo^r to absent for that time.

The Sheriff of the Countie of Sussex His Return of Representatives was produced, qrby it appeared that ther wer elected Wm. Clark & Jn^o Hill. Wm Clark subscribed the declaraoⁿ, profession & Test, ut supra, & Jn^o Hill took the oaths appointed by act of parliam^t to be taken in sted of the oaths of allegiance & Supremacie, & subt. the Test, and took their places att the board, & yn ther wer

PRESENT:

WILLIAM MARKHAM, esq ^r ., Governo ^r und ^r Wm. penn, esq ^r ., &c.		
Sam ^l Carpester,	John Simcocke,	Wm. Clark,
Edward Shippen,	Caleb pussey,	John Hill,
phineas pemberton,		Pat. Robinson, Secry.

Resolved, that the Governo^r may be pleased to Cause send by an express a warrant to the Sheriff of the Countie of Newcastle, to bring his return. Which the Governo^r was pleased to do und^r his owne hand & Seal of y^e province.

Adjourned to 2 in the afternoon.

POST MERID.

Att a Council Held att philad: die Lunæ, post meridiem, 10th May, 1697.

PRESENT:

WM. MARKHAM, Governo^r, &c., et ysdem ut antea, &c.

The Sheriff of the Countie of philadelphia his return of Reprsntatives for assemblie was produced, qrby it appeared that there wer elected Sam^l Richardson, James Fox, Robert Owen and Nicholas Walln, who appeared.

The Sheriff of the Countie of Bucks His Return of Representatives for Assembly was produced, whereby it appeared that ther wer elected Joshua Hoops, Stephen Beakes, Richard Hough and Jeremiah Langhorne, Who appeared; And those eight did subscribe the declaration & profession, and the Test.

The Sheriff of the Countie of Chester His Return of Representatives in Assemblie was produced, qrbv it appeared that ther wer elected Jn^o Blunston, Bartholomew Coppock, Jn^o Worth & Jonathan Hays, who appeared & subt. the sd declaraon, profession & the test, ut supra.

The Sheriff of the Countie of kent his Return of Representatives in Assemblie was produced, qrbv it appeared that ther were elected Jn^o Walker, Samⁿ Burberry & Jn^o Bradshaw, Who appeared.

The Sheriff of the Countie of Sussex His Return of Representatives in Assemblie was produced, whereby it appeared that there were elected Luke Watson, Tho. Oldman, (Thomos fisher absent,) and Nehemiah Field, Who appeared.

The sd Samⁿ Burberrie & Tho. Oldman subt. y^e sd declaraon & profession, & took the test; The other seven took y^e sd oaths & test.

All which members of Assemblie y^e wer returned & appeared being thus qualified as above, The Governo^r said: Gentl, I desire you to goe together & choose yo^r Speaker, & present him to mee to morrow morning att Nine of the Clock.

Adjourned to y^e 11th instant, Hora 9 A. M.

[yth May, 1697.

Att a Council Held att philadelphia Die Martis, A. M. y^e 11th May, 1697.

PRESENT:

WM. MARKHAM, esq^r. Governo^r und^r Wm. Penn, &c, et ysdem ut Supra.

James Fox & Jn^o Bradshaw two of the Representatives for Assembly, acquainted the Governo^r & Council y^e y^e Representatives wer not willing to Choose their Speaker untill the Sheriff of y^e Countie of Newcastle his Return was made & their Representatives qualified.

Adjourned till 12th instant, hora 9 A. M.

[12th May, 1697.

Att a Council Held att philadelphia die Mercury, A. M. 12th May, 1697.

PRESENT:

WM. MARKHAM, esq^r., Governo^r und^r Wm. Penn, &c., et ysdem ut antea.

Joseph Growdon appeared & subt. the sd profession & declaration,

& the test, and took His place att the board. The Sheriff of the Countie of Newcastle His return of Representatives for Council was produced, whereby it appeared y^t there were elected for Council peter Alriches & Richard Halliwell, who appeared & took y^e sd Oathes & the Test: And for Assembly Cornelius Empson, Benj. Gumbly, Jn^o Richardson & Jn^o Buckley, who appeared & subt. y^e above declaracion, profession & test. Then the sd peter Alriches & Richard Halliwell took their places att the board.

Ordered, that Jn^o Curtis, returned a representative for Council for y^e Countie of kent, be sent for. Who having Come, the Governo^r said that hee hoped Hee was now willing to be Qualified. The said Jn^o Curtis ansred, that the Sheriff of y^e Countie of Newcastle his Return of Representatives being Come, & they being Qualified, Hee was also willing to be Qualified; Who accordinglie subt. y^e sd declaration, profession & Test, & took his place at the board. And then wer

PRESENT:

Sam ⁿ Carpenter,	John Simcocke,	John Curtis,
Edward Shippen,	Caleb pussey,	Wm. Clark,
Joseph Growdon,	peter Alriches,	Jn ^o Hill,
phineas pemberton,	Richd Halliwell,	Pat. Robinson, Secry.

Cornelius Empson & Luke Watson, from the Representatives of the Assemblie, acquainted the Governo^r that they were readie to wait upon him. The Go^r returned y^t hee & Council tarried for them.

Then John Blunston, accompanied by all y^e representatives for y^e province & territories, presented himself to the Governo^r, acquainting him y^t y^e representatives there psent had chosen Him for y^e Speaker. Who, after hee had disabled himself by telling y^e Go^r that it was a burden too great for him, & yrfor desired wold be pleased to bear with his weakness, as being unacquainted with such affairs. Then y^e Go^r said: Sir, you are their Speaker, & I verie well approve of their choice, & its all o^r duties to bear with one another's weaknesses, the best of us all being but inexpert in manie things relating to those affairs.

Then the Governo^r addressing himself to the representatives said: Gentl, & you M^r Speaker, "You are att this time mett together, not "by virtue of anie writt nor call of mine, but by virtue of a Law made "by yo^rselves, or by yo^r representatives Last Sessions, & y^tfor I have "the Less to say to you. I recomend to yo^r Consideraon a Letter "which I latelie received from his Excellly Benjⁿ Fletcher, Go^r of "Newyork."

Then y^e Governo^r desired y^e Secrie to read his Letter to him, bearing date y^e 4th of May, 1697, wherein his Excellly tells him y^t Last year they sent in 300lb. pennsilvania monie, which was expended in Contingencies to feed & cloathe y^e Indians, for which hee Returns thanks in behalf of y^e province. Hee farther says: you know what orders I have for applying for assistance, & upon what condions y^e govern^t was restored to yo^r proprietor: yo^r Quota is 20 men, &

the charge for one year will amount to 2000lb. & upwards; that there is now 50 men wanting to Compleat the number of forces I design to be att Albanie, of which I do apply to you for 25 men, or a proportionable sum of monie, to ans^r other charges w^t y^e Indians, & of procuring those men: and then y^e Governo^r gave it to M^r Speaker for y^e Assemblie's Consideration.

Cornelius Empson & Sam^l Richardson, two members of y^e house of representatives, acquainted y^e Governo^r & Council y^t y^e house Requested y^e Governo^r to appoint a Committee of Council to join a Committee of y^e Assembly, to Consider of y^e sd Lett^r. To whom y^e Go^r made ans^r that hee would.

The Governo^r appointed Sam^l Carpenter, phineas pemberton, Caleb pussey, Richard Halliwell, Jn^o Curtis & Wm. Clark, (being one outt of each County,) a Committee of Council to join a Committee of the Assemblie in y^e Assemblies room, to Consider of y^e sd Lett^r at 3 p. m. & to make report to y^e Go^r & Council to-morrow morning.

Adjourned to 13th instant, hora 9 A. M.

[13th May, 1697.

Att a Council Held att philadelphia die Jovis, 13th May, 1697.

PRESENT:

WM. MARKHAM, esq^r. Governo^r under Wm. Penn, &c., et ysdem ut supra.

The day before y^e Go^r having sent for Griffith Jones to appear att Council, as being Returned a representative for Council for kent Countie, Hee this day appeared, & y^e sd declaraon, profession & test being offered to him, Hee refused to be Qualified, Unles hee wer admitted upon y^e old Charter.

Wm. Clark, Chairman for y^e Committee appointed to Consider of Governo^r fletcher's Lett^r, made y^e following Report in writting, viz: Philadelphia, y^e 12th of y^e 3^d mo., 1697. Att a Committee Consisting of Several members of Council & Assemblie, appointed to Consider of Governo^r fletcher demands of a further assistance to y^e Governm^t of Newyork, May y^e 4th, 1697; Having read his Letter, & weightilie considered y^e same, wee can do no less than acknowledge his & that government's regard & Candor to us, in applying y^e 300lb. which hee pleases to mention, sent from this governm^t as intended, viz: to feed & cloath the distressed Indians. Onlie this wee wold desire, hee might be given further to understand, that y^e sd 300lb. was about Six mo's borrowed att Interest, upon y^e Credit of an act of Assemblie for raising y^e same, & is not yet repaid: Therefore, Considering y^e Infancie & pvertie of this governm^t, which also Lyeth under other considerable debts, Wee dc not find wee are capable att psent to raise any more money for y^e service, which wee desire o^f Go^r may accordingly repsent, with o^f readiness to observe y^e king's farther Comands, according to o^f religious psuasions & abilities. Signed by ord^r of y^e Committee.

WM. CLARKE, Chairman.

Ordered, That the secrie Carrie y^e sd report to y^e house of representatives for y^e approbation; which hee did. James Fox, one of y^e representatives for y^e assemblie, Returned y^e same Indorsed thus, viz: the within report being presented to this House, & read & Considred, was Unanimouslie approved of. Signed by Ord^r of y^e Assemblie.

JOHN BLUNSTON, Speaker.

Adjourned to 2 p. m.

POST MERIDIE.

Att a Council Held att philadelphia die Jovis, 13th May, 1697,
P. M.

PRESENT:

WM. MARKHAM, esq^r., Governo^r und^r Wm. Penn, &c., et ysdem
ut antea.

The Governo^r Ordered the Secrie to read y^e Law past Anno, 1696, for raising an assessment of One pennie per pound; which hee did. Ordered that the Secrie Call James Fox, Receiver of y^e said tax, to appear before y^e Governo^r and Council; Who appeared. Ordered that James Fox bring in His accots to this board; which hee did. Then y^e Governo^r appointed Sam^l Carpenter, phineas pember-ton, Richard Halliwell, Caleb pussey, John Curtis & Wm. Clark, a Committee to examine the said Receiver's accots of the sd Tax, & to make Report thereof to this board.

Adjourned to y^e 14th instant, hora 10 A. M.

[14th May, 1697.

Att a Council Held att philadelphia die Veneris, 14th May, 1697,
A. M.

PRESENT:

WM. MARKHAM, esq^r., Governo^r und^r Wm. Penn, &c., et ysdem
ut antea.

Wm. Clark, Chairman of y^e Committee appointed to examine James Fox, receiver, his accots, & what hee had received of the said tax, made report by an accot in writting, That by his owne accot It appeared that hee had received in all 356£. 11s. 10d, & that severall of y^e Collectors had neither brought in the monies they had Received, nor the duplicats of their precincts, nor y^e names of the deficientes.

Ordered that warrants be Issued from y^e Governo^r, Comanding the Sheriff of Bucks Countie to summons Jn^o Rowland & Francis White, Collectors of Bucks Countie, And to the Sheriff of the Countie of Newcastle, to Sumons Richard Reynolds, Tho. Wollaston, Richard Cantwell, & George Harlen, Collectors of the Countie of Newcastle: As also, to the Sheriff of the Countie of philadelphia, to Sumons Jn^o Carver, peter Taylor, Attwell Wilmerton, Joseph phipps, Nicholas Skull,

Richard Townsend, Arnold Castle, John palmer, Joseph knight, Edward Shute, Sam^l Nicholls & Robert Barrow, Collectors of the Countie of philadelphia, forthwith to appear before the Governo^r & Council, & to bring with ym the duplicates of y^e originall assessment for their sd rexive Counties, & the monies they Have received, & the names of y^e deficientes in their respective precincts, Under y^e pains & penalties mentioned in the Late Law for raising the said assessment; Which was accordinglie done.

James Fox & Joshua Hoopps, from the House of Representatives, Requested the Go^r would be pleased to appoint a Committee of Council to join a Committee of Assembly, to Consider of the amendment of some laws, & the making of some new ones.

Ordered, That Sam^l Carpenter, Joseph Growdon, Caleb pussey, Richard Halliwell, Jn^o Curtis & Jn^o Hill, be a Committee to join a Committee of the House of Representatives, to Consider as desired; And to make Report to-morrow morning.

Adjourned to 15th instant, Hora 9 A. M.

[15th May, 1697.

Att a Council Held att philadelphia die Sabbatti, A. M. 15th May, 1697.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r under Wm. Penn, &c. & all y^e members except peter Alriches.

Joseph Growdon, Chairman of the Committee appointed to join a Committee of Assemblie, to Consider ut supra, made report to the Go^r & Council, That they had proposed severall amendments of some former laws, & some new ones to be made, Which y^e members of Committee for y^e Council left to y^e Representatives for the assemblie to be drawn up into Laws.

James Fox & Luke Watson, from the Representatives of Assemblie, presented to the Go^r & Council an accot presented to y^e house by Charles Sanders & Compa, amounting to 23l. 4s. 1d., due to & expended by him by order of Tho. Lloyd & Wm. Markham, formerlie Go^r, upon the Indians, & desired the Governo^r & Council's advice y^eupon.

After some debate, & it being found that the sd monie was due to ym for the service of y^e governmt, It being putt to y^e vote whether y^e sd accot should be allowed as a publick charge of y^e government, It was caried in y^e affirmative, nemine contradicente, & returned to y^e Assembly for y^e approbaon.

The petition of severall of y^e Inhabitants of y^e town & Countie of Chester & others, to the Go^r & Council, for an ord^r for building a bridge over Chester Creek, In or neer Chester-town, being read; As also another paper, Containing several reasons offered ag^t y^e sd petion,

signed by several; being read & both debated, And it being by the Governo^r putt to the vote, whether it's more convenient that the sd petition be considered rather by a grand Committee of both Houses than by the Go^r & Council, Caried in the affirmative, nemine Contradicente.

Then the Govern^r Resolved the Council Into a grand Committee, to Join a Committee of y^e members of Assemblie, to consider y^e sd petition & paper, & to make report to him & Council y^e 24th instant.

Adjourned to 17th instant, Hora 9 A. M.

[17th May, 1697.

Att a Council Held att philadelphia die Lunæ, A. M. 17th May, 1697.

PRESENT:

WM. MARKHAM, esq., Governo^r under Wm. Penn, &c., et ysdem ut antea.

David Lloyd, Co-exer. with Isaac Norris, of Thomas Lloyd, deceased, exhibited to y^e Go^r & Council a draught of a Law to enable them to sell some parts of y^e Real estate of y^e sd Tho. Lloyd, for paym^t of His debts. After some debate yrupon, & some amendments made yroff, it was Recomend^d by y^e Governo^r & Council to the house of Representatives for y^e assemblie.

John keighin, who married Sarah Griscom, the widdow, relict & exrix. of Andrew Griscom, deceased, exhibited to the Go^r & Council, a draught of a Law enabling them to sell some parts of the estate of the sd Andrew Griscom, for paym^t of his debts. After some debate yrupon, It was recomend^d to the House of representatives for y^e Assembly.

Cornelius Empson & Sam^l Richardson psented to the Governo^r and Council from the house of Representatives, several bills for their assent.

The petion of the Representatives for the Countie of Sussex for some defence for y^e Countie being read, It was ordered to be considered to-morrow, p. m.

Adjourned to 18th instant, hora 9 A. M.

[18th May, 1697.

Att a Council Held att philadelphia die Martis, A. M. 18th May, 1697.

PRESENT:

WM. MARKHAM, Esq^l., Governo^r under Wm. penn, et ysdem ut supra, except pet. Alrichs & Jos. Growdon.

James Fox & Sam^l Richardson, from the assemblee, presented to the Governo^r & Council another bill for their assent. The Sheriff of the Countie of Bucks His Return of y^e Sumons directed to him being read, Jn^o Rowland, one of the Collectors of y^e sd Countie, appeared & brought in the duplicate of y^e rate of his precinct, & declared hee had done no farther, & also declared that rather then he wold demand, collect, or strain for y^e sd assessment, hee wold pay the fine in the Law mentioned.

Adjourned to 2 post meridiem.

POST MERIDIEM.

Att a Council Held att philadelphia, p. m.

PRESENT :

WM. MARKHAM, Esq^r., Go^r, et ysdem ut antea, except peter Alrichs.

The Go^r did resolve the whole members of Council into a grand Comittee, to meet the whole house of representatives for assemblee, to be a grand Comittee of both houses, to examin what monie is brought in according to the Late act, & to Consider what may be necessarie to be done for the speedy paym^t of the arrears of y^e sd tax, & to report to-morrow morning.

Adjourned to 19th instant, Hora 9, A. M.

[19th May, 1697.

Att a Council Held att philadelphia die Mercury, A. M. y^e 19th of May, 1697.

PRESENT :

WM. MARKHAM, Esq^r., Governo^r und^r Wm. Penn, &c., et omni-bus membris, except peter Alrichs.

William Clark, Chairman of y^e Grand Comittee of both Council & Assembly, to whom the matter of tne Assessment Laid in 1696, was Comitted to be Considered, made Report in writting, viz : That Having examined y^e accots, found that divers Collectors have neglected to bring in their duplicats of y^e tax they wer rexivelie charged with in v^r rexive Counties, & y^e monies therein rated, And that it being putt to y^e Question whether it be necessarie to prepair a bill for the better enabling the Justices & Collectors in their rexive Counties to Collect such sums as are in arrear & Unpaid, due by y^e aforesaid Law, and that the sd Law be reinforced & Continued untill y^e same be collected, It was carried in the affirmative. And that it being also putt to y^e question, whether it be necessarie that the Governo^r & Council send to the Justices in the several Counties y^e are

in arrear whose collectors have not paid in the full tax charged on them, to cause the same to be Speedilie sent in to the Receiver: Caried in the affirmative.

The memorial of Andrew Hamilton being read in Council, for some encouragm^t to support the post:

The petion of y^e Representatives for the Countie of Sussex being again read, about some defence to that Countie: The petion of Tho. Herris about clerk of y^e markt being read: All these wer referred to y^e Consideraon of all y^e members of Council & assemblie, in a grand Committee, to meet in y^e assemblies room post meridiem, & to make Report to-morrow morning.

Cornelius Empson & Jn^o Bradshaw brought in some more bills for the Governor's assent.

Adjourned to 20th instant, Hora 9 A. M.

[20th May, 1697.

Att a Council att philad. die Jovis, A. M. 20th May, 1697.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r Under Wm. Penn, &c., et ysdem ut antea, except peter Alrichs.

Joseph Growdon, Chairman of y^e Grand Committee appointed to Consider of Andrew Hamilton's memorial for encouragm^t to support y^e post; And of y^e representatives of Sussex County's petion for some defence; And of y^e petion of Tho. Herris, about Clark of the markt; made Report, That it was y^e vote of y^e sd Committee that a bill be prepared for encouragement to Support y^e post, both by y^e publick & upon private Letters. And it was also their opinion, that a watch be kept upon Cape Henlopen in sumer time, To give notice of the appearing of anie enemie, att y^e publick charge of y^e governm^t & that the justices of y^e Countie order the same, & what sign y^e sd watch shall give, And that the Last years charge, amounting to about Six pounds, be allowed as a debt of y^e governm^t; And y^e Tho. Herris' petion was rejected.

Ordered that Sam^l Carpenter draw up a bill for encouragment & support of y^e post office, & psent it to the House of Representatives.

The petition of the Representatives for the Countie of Sussex being again read in Council, and the said Report, Ordered that the Justices of the sd Countie Cause a watch to be kept on Cape Henlopen in sumer time, to give notice of the appearing of anie Enemy, att the publick Charge of the governm^t, & that the sd justices Order y^e same, & what sign the sd watch shall give, and that the Last year's charge, amounting to about Six pounds, be, & is hereby allowed as a debt of the governm^t.

Adjourned to 22^d May, 1697, p. m.

[22^d May, 1697.

Att a Council Held att philadelphia die Sabbatti, 22^d May, 1697,
P. M.

PRESENT:

WM. MARKHAM, esq^r., Governo^r und^r Wm. penn. &c., et ysdem ut antea, Except ut antea.

The Governo^r desired Jn^o Hill & Jn^o Curtis to acquaint the assemblie that hee & Council do wait for them, who Returned that they wold forthwith attend him.

The assemblie appearing, M^r Speaker presented to the Governo^r and Council Sixteen bills which had past their house. The Governo^r told ym that hee would Cause ym to be read & Considered.

After Reading of all the sd bills by the Secrie, The Governo^r, with advice of the Council, rejected & voted outt eight of them.

The other eight being three times read, wer by the Governo^r and Council approved of.

The first entitled, The Law for ratifying & confirming of y^e acts & proceedings of y^e Assembly in 1696.

The Second entitled, The Law for the encouragment & Support of the post office.

The third entitled, The Law for the Speedie Collecting the arrears of y^e assessment Laid in 1696.

The fourth entitled, The Law about Testats & Intestats estates.

The fifth entitled, The Law ag^t Swine Running att Large in the Countie of Bucks.

The Sixth entitled, The Law about married women having children in y^e absence of y^e Husbands.

The seventh entitled, The Law against Swearing.

The eight entitled, The Law for selling the Old Court house of Chester Countie; All which wer by the Governo^r and Council approved of.

Then the Governo^r desired Caleb pussey & Richard Halliwell, to acquaint the assemblie that hee waited for them forthwith.

The assemblie appearing, The Governo^r desired the Secrie to Read over all the said Bills; which hee did, and then underwrote each Bill in these words, viz: Philadelphia the 22^d day of May, 1697. This bill being three times read, was assented to by the Governo^r and Council. And then the Governo^r past ym all one after another, by affixing thereto His Hand and Seal of the province.

Adjourned to y^e 24^h instant, Hora 9, A. M.

[24^h May, 1697.

Att a Council Held att philadelphia die Lunæ, A. M. 24^h May 1697.

PRESENT:

WM. MARKHAM, esq'. Governo' und' Wm penn, &c. et ysdem ut antea, except ut supra.

Wm. Clark, Chairman of the grand Committee of both Council & assembly, to whom the Consideraon of the petition of Several of the Inhabitants of the town & County of Chester & others, to the Governo' & Council, for an Ord' for Building a bridge over Chester Creek, in or neer Chester Town: as also of another paper, Contain- ing several reasons offered ag' the said petition, & signed by severalls, was referred, made Report: That after Reading of both the sd petition & reasons ag' it, & several debates yrupon, It being by the sd Chair- man putt to the vote of y^e sd grand Committee, whether a Bridge should be built over the navigable part of Chester Creek, as is petitioned, It was Caried in the negative, nemine Contradicente.

Adjourned to 2 in the afternoon.

POST MERIDIEM.

Att a Council Held at Philadelphia die Lunæ, P. M. 24th May, 1697.

PRESENT:

WM. MARKHAM, Esq'. Governo' und' Wm. Penn, &c. et ysdem ut supra, except ut antea.

The Go' desired the Secrie to acquaint the House of Representa- tives, That Hee and the Council waited for ym; Who returned that they wold attend him forthwith.

M^r Speaker & the whole house of Representatives appearing, The Governo' Caused the Secrie to read M^r Blaithwait's Letter to him about the association to be taken in this province; as also, the act of par- liament, Entitled ; As also, a fair draught of the association, taken from that which M^r Blaithwait sent him, & desired that the Representatives both for Council & assembly, would with him sign the same. And accordinglie, the Governo' & those members who wer free so to doe, signed the association in terminus, as also the Secrie; And those whois principles & religious persuasions would not allow them to sign the same in Terminus, presented to the Governo' a paper which they had drawn up, entitled: A declaraon of the people called Quaker's, representatives in Council & assemblie for y^e province of Pennsylvania and territories thereunto belonging, mett att philadelphia in the 3^d mo. 1697, with respect of our Loyaltie to the king, & fidelitie to His Government, & in reference to the Late association.

Then the Governo' askt both Council & Assemblie whether they had prepared anie other bills for his assent, or whether they had anie other bussines at this time; who answered no.

Then the Governo^r said: Gentl, I doe dissolve you, and you are hereby dissolved.

The End of the 5th Sessions of Council & assembly.

[9th Febr'y, 1697-8.

Att a Council Held att Philadelphia Die Mercury, 9th Febr'y, 1697-8.

PRESENT:

WM. MARKHAM, Esq^r., Governo^r und^r Wm. penn, &c.

Sam^l Carpenter,

John Simcocke,

Rich^d Halliwell,

Edw^d Shippen,

Caleb pussey,

William Clark.

Joseph growden,

The Governo^r exhibited to the Council a Lett^r from the proprietor, directed for him, to be opened only & read in a full Council; Which being thought to be as full a Council as could be got in such a season of y^e year, It was y^rfor Resolved that the sd Lett^r should be opened & read, which was done. The contents q^{ro}f wer as follows, verbatim, viz: "London 5th 7 m., 1697. Friends, The accusaons "of one sort, & the reports of another that are come for England "ag^t yo^r governm^t, not only tend to o^r ruin, but disgrace. That you "wink at Scotch trade & a Dutch one too, Receiving European goods "from the Latter, as well as suffering yo^r, ag^t the Law & English "interest, to goe to the other; Also, that you do not onlie wink att but "Imbrace pirats, Shipps & men. These are yo^r accusaons, & one "Fra. Jones of philadelphia has Complained of them to Go^r Nichol- "son, becaus it was not redrest in the governm^t. The Reports are, " & a nameless Lett^r is come to me besids from philadelphia, to y^e "same purpose, that there is no place more overrun with wicked- "nes. Sins so very Scandalous, openly Comitted in defiance of Law " & Virtue; facts so foul, I am forbid by Comon modesty to Relate "ym. I do y^rfore desire & charge you, the Gor & Council for the "time being, to issue forth some act or acts of state forthwith to sup- "press forbidden trade & piracy, & also the growth of vice & Loos- "ness, till some severer Laws be made ag^t ym: And I do hereby "charge that no Licence be granted to any to keep publick houses, "that do not give great securitie to keep Civil houses, & are not "known to be of a sober Conversaon, & that the Courts of Justice "in each County have the approbaon, if not Licensing of ym, In "order to prevent such acts of the Lewdness & Idleness as are too "often seen in such places; And that you take Care that Justice be

"Impartially done upon transgressors, that the wrath & vengeance
 "of God fall not upon you to blast yo' so very flourishing beginning.
 "I hasten to you as fast as y^e Complaints here ag^t you will give me
 "leave, that make my presence now but too necessary. Let neither
 "base gain nor a byast affection mak you partial in these Cases, but
 "for my sake, yo' own sakes, and above all for God's sake, Let not
 "the poor province Longer suffer under such grievous & offensive
 "Imputaons; and will oblige him that loves you, prays for you, &
 "prays to be with you, & is with true Love yor real friend & affec-
 "tionate proprietary. WM. PENN."

The Contents whereof, & the Complaints yrin mentioned being
 strictlie inquired into, The Go^r did appoint Sam^l Carpenter, Joseph
 Growdon & Wm. Clarke, a Committee of Council further to peruse the
 sd Letter, & To inquire into the sd Complaints, & to make report
 yrof to the Go^r & Council next day, by way of ans^r to y^e sd Letter.

Adjourned to 10th instant.

10th Febyry, 1697-8.

Att a Council Held at philad die Jovis, 10th Febyry, 1697-8.

WM. MARKHAM, Esq^r., Governo^r et ysdem ut antea.

Joseph Growdon, Chairman of the Committee appointed further to
 peruse the sd Letter, & strictlie to inquire into y^e Complaints yrin
 mentioned, & to report the same to the Go^r & Council by way of
 ans^r to the said Letter, this day Exhibited to the Go^r and Council
 their report in writting, viz: The Committee having perused & tho-
 roughly Considered the proprietor's Letter, Charging the Governor &
 Council to suppress forbidden trade & piracie; & also the growth of
 vice & Loosness, &c. within this governm^t, doe Humblie make this
 Report unto the Governo^r and Council.

First. As to the Scotch & dutch trade, wee are not privie yro
 nor any of us Concerned therein, but if any such trade has been &
 escap^t unpuneshet, It may rather be attributed to th^e Connivance
 or neglect of those officers appointed by Edward Randolph to inspect
 those things, or others particularly appointed in that behalf; for wee
 can say, that the magistrats & Courts of Justice have been ready &
 diligent upon all occasions to punish, suppress & discourage all ille-
 gal trade that came to their knowledge.

Secondly. As to Imbracing of pirats, &c. Wee know of none
 that has been entertained here, unless Chinton & Lassell, with some
 others o^f Avery's Crew, that happened for a smal time to sojourn in
 this place, as they did in some of the neighbouring governments; but
 as soon as the magistrats in Philadelphia had received but a Copie of
 the Lords Justice's proclamation, gott all that were here apprehended,
 & would have taken the Care & Charge of securing ym, untill a Legal
 Court had been erected for their trial, or an opportunity had presented
 to send ym for England; but before that Could be effected, they broke

goale & made their escape to New York, where Hues & Crys wer sent after ym. And as to pirats' shippes, wee know of none Harboured or ever came in here, much Less encouraged by the Go' or people, who as it is well known, are generally sober & industrious, & never advanced y' estates by forbidden trade, piracie, or other ill ways, notwithstanding what is suggested by o' enemies to the contrary.

As to the growth of vice, Wee cannot but owne as this place hath growne more populous, & the people increased, Loossnes & vice Hath also Creeped in, which wee lament, altho' endeavours have been used to suppress it by the care & industry of the magistrats from time to time, offenders Having received deserved & exemplary punishments, according to Law.

As to Ordinaries, Wee are of opinion that there are too many in this governm't, especiaillie in philadelphia, wch is one great cause of the growth of vice, & makes the same more difficult to be suppress & keep under.

On the whole, Wee being at all times Heartily inclined to show o' Loyaltie to the king, & readie obedience unto His Laws, do think it necessarie, & do yrfore make o' request to the Go' & Council, that an Ordinance be made, & a proclamaon do forthwith Issue from the Governo' & Council, strictly to suppress forbidden trade & pirats, if any shall Happen; and also, the growth of vice & Loossnes within this governm't, until some wholsome & severer Laws be made for a more effectuall remedy, and the ordinaries or Houses of entertainment be reduced to a Less number, & that all such as have not alreadie given good securitie for keeping good orders, and discharging the place according to Law, be spedilie required so to do, or otherwise to be suppressed, & for the future that the Justices in the Quarter Sessions in each Countie may have the approbaon, if not the Licensing Ordinarie keepers throughout the government.

The which report being read in Council, It was put to the vote by the Go', Whether they approved yrof, & whether they esteemed it to be a proper ans' to the sd Lett'. It was Caried in the affirmative, N.C.

Then the Go' did Resolve the whole members of Council Into a grand Comittee, to draw up a proclamaon to suppress forbidden trade & unlaw^l piracie, the growth of vice & Loossnes, & to regulate & reduce the ordinaries, untill severer Laws can be made ag' such enormities, & to bring in their report & a draught of a proclamaon to the Go' & Council the 12th instant.

Adjourned to 12th February, 1698.

[12th February, 1697-8.

Att a Council Held att philadelphia die Sabbatti, 12th Febr'y, 1697-8.

PRESENT:

WM. MARKHAM, esq^r. Go^r, et ysdem ut antea, except Richard Halliwell.

Joseph Growdon, Chairman of the Committee appointed to draw up the sd proclamaon, &c. Exhibited to the Go^r & Council a draught yrof; Which having been read & some amendments therein made, It was by y^e Go^r putt to the vote, whether the members of Council did approve yrof or not. It was caried in the affirmative, N. C., which was in these words:

By the Governo^r & Council of the province of Pennsylvania & Counties annexed: A proclamaon.

Whereas, o^r proprietary Hath Latelie given us to understand of sundry accusaons or Complaints ag^t this governm^t, for Conniving att illegal trade & Harboursing of pirats; as also, of the reports that are come for England about the growth of vice & Loosness here: As to the former, its evident that they are the effects of the envy & emulation of those who by such unfair & indirect means wold accomplish their designs ag^t this governm^t, for that wee are satisfied the generality of the people, merts, & Traders of this province & territories, are innocent & clear of those imputations; And this Countrie being so posited, Philadelphia is become the rode where sailors & others do frequentlie pass & repass between Virginia & New England, that it cannot be avoided but the bad as well as y^e good will be entertained in such an intercourse; and since Comon charity obliges us not to presume any persons guilty (especiallie of such great enormities) till by some legal probabilitie they appear so to be, and tho' wee find that the magistrats & people in general are & have been ready, & perhaps more active & Conscientious, to serve y^e king & his officers ag^t all unlaw^d trade & piracy, when any such offences have by any means come to their knowledge, than anie of those neighbouring Colonies who have been so Querimonious ag^t us in that behalf; yet wee can do no less than psuant to our proprietarie's Comands to put all in mind of their rexive dutys, that ther may be no just cause for such Complaints. And as concerning vice, Wee also find that the magistrats have been carefull & diligent to suppress it, but their endeavours have proved sometimes Ineffectual yrin, by reason that the ordinaries or drinking houses, especiallie in Philadelphia, grew too numerous, & the keepers y^of disorderlie & regardless of the tenor & obligaons of y^r Licenses, whereby they prove ungrateful to the Governo^r, and a reproach to the governm^t. Therefore, these are strictlie to Charge & comand all magistrats & officers whatsoever wtin this province and territories, as they regard the hono^r of God & their allegiance to the king, faithfully to put in execuon all the acts or Laws of trade & navigaon; And also, all the Laws & statutes extant ag^t piracy, when ever there be any such occasion, & to use their utmost diligence & care in preventing, suppressing & punishing all vice, disorders & Looss living, whersoever & in whomsoever it shall appear. And that end it is by the Governo^r & Council ordained, that from & after

the first day of March next, The Justices of y^e peace of each countie in this province and territories, at their rexive General or private sessions, may nominate & pitch upon such & so many ordinarie keepers or Inn holders within their rexive Counties, as they shall be well assured will keep good orders & discourage vice; And the Governo^r is pleased to condescend that hee will Licence those so approved of by the Justices, & will permitt no other to keep taverns, Inns or drinking houses within this governm^t, but such as shall be so recommended from time to time. And wee further strictlie charge & Comand all psons within this governm^t, as they will answer the contrary at their peril, that they give due assistance to the magistrats & officers aforesaid, in putting the sd Laws in execuon, & suppressing vice, that the wrath of God & the king's displeasure may not be drawn upon this poor country. Dated att Philadelphia, this 12th day of the 12th mo., 1697-8, in the ——— year of the reign of Wm. the 3^d of England, king.

Wherupon, It was ordered By the Governo^r & Council, that the Secry should forthwith write six of ym, one for each Countie, & should subscribe the same as Secry, by order of the Governo^r & Council, & transmitt one of ym to each Countie, directed to the justices yrof, & that they should forthwith publish y^e same in their rexive Counties, & then put ym up in the most publick place thereof rexivelie, that all persons Concerned might take notice yrof.

Upon reading the petion of Wm. Southbee & other Inhabitants of philadelphia, to the Governo^r & Council, Requesting ym to place officers of good repute & Christian conversation, & to cause tables of all officers fees to be Hung up in their offices, & that they wold reduce the number of ordinaries & better regulate ym, & to cause the Laws of the province to be put in execution, & Cause stock & cage be provided, & to suppress the noise & drunkennes of Indians, especially in the night, and Cause the Cryer go to the extent of each street when hee has any thing to Cry, and to put a check to Horse racing. The said petion was by the Governo^r & Council referred to the Justices of y^e peace for y^e Countie of philadelphia, for a speedie & effectual remedy of y^e abuses yrin complained of.

Upon Reading the petion of Edward Shippen, Anthony Morris Charles Sober, John Farmer, James flox & Sam^l Richardson, justices of y^e peace for the sd Countie, ag^t Jn^o Claypoole, who is & is Like to be incapable to serve y^e Countie either as Clark or Sheriff, by reason of his Lameness and misbehaviour, &c., and yrfor desiring the Go^r to permitt ym to pitch on some others to serve as Clerk and Sheriff for y^e Go^r approbaon, who may be better able & more reputable to discharge those places.

The Governo^r bid ym recomend a Clerk & hee wold Comissionate him, & a person to serve as sheriff during Jn^o Claypoole's illness, & y^t hee wold Comissionate him; & said Hee wold give the Justices an ord^r to Cause Jn^o Claypoole deliver to ym the books of records & papers relating yрто, The Justices being willing to take the pains to make up the records of Court.

Upon Reading the petition of peter Clauson, Cooper, Setting forth, that hee had been Long since apprehended, & his goods seized, upon Suspition of piracy, and that his occasions call him hence for Europe, & that in regard no proceedure is made agt him, Hee prays the Libertie to depart the governm', & that his goods may be redelivered. Ordered, That the examinaon of John Matties. in relaon to the petitioner's being taken out of a deans vessel by Capt. Avery, be further inspected, & a further Consideraon of y^e petitioner's case referred to the next sitting of Council.

PETITION.—Upon reading the petition of Sam^l Carpenter, Edward Shippen, Anthony Morris, James ffox & david Lloyd, Willam Southbee & John Jones, in these words, viz: To the Governo^r & Council of the province of pennsylvania & territories yrof, sitting att philadelphia, the tenth day of the 12th mo., Anno domi, 1697-8. The Humble petition of Sam^l Carpenter, Edward Shippen, Anthony Morris, James ffox, david Lloyd, William Southbee & John Jones, in the behalf of themselves & the rest of the people called Quakers, who are members of the monethly meeting, holden & kept att the new meeting house, lately built upon a piece of ground fronting the High-street, in philadelphia aforesaid, obtained of the present Governo^r by the said people, Sheweth: That it hath been & is much desired by MANY, That a School be set up & upheld in this town of philadelphia, where poor children may be freely maintained, taught & educated in good Literature, untill they are fit to be put out apprentices, or Capable to be masters or ushers in the said school.

And for as much as by the Laws & Constituons of this governm', It is provided & enacted That the Governo^r and Council shall erect & order all publick schooles, & encourage & reward the authors of usefull sciences & Laudable inventions, in the said province and Territories, Therefore, may it please the Governo^r & Council, to ordain and establish that at the said town of philadelphia a publick schoole may be founded, where all children and servants, male & female, whois parents, guardians & masters be willing to subject ym to the rules & orders of the said schoole, shall from time to time, with the approbaon of the overseers thereof for the time being, be received or admitted, taught and Instructed; The rich at reasonable rates, and the poor to be maintained & schooled for nothing. And to that end a meet & convenient house or Houses, buildings & rooms, may be erected for the keeping of the said schoole, & for the entertainment & abode of such & so many masters, ushers, mistrisses, & poor children, as by the order & direction of the said monethly meeting shall be Limited & appointed from time to time. And also, that the members of the aforesaid meeting for the time being, may, at y^e respective monethly meetings, from time to time make choice of & admitt such and so manie persons as they shall think fit, to be overseers, masters, ushers, mistrisses & poor children of y^e sd school, and the same persons, or anie of ym, to remove and displace, as often as the said meeting shall see occasion. And that the overseers and schoole aforesaid, may for ever stand & be established & founded in name & in deed, a Body politick and Corporate, To Have

Continuance for ever, by the name of The Overseers of the publick schoole founded in Philadelphia, at y^e request, costs & charges of the people of God called Quakers. And that they, the said overseers, may have perpetual succession, and by that name they & their Successors may forever have, hold & enjoy, all the Lands, Tenements & chattells, & receive & take all gifts & Legacies, as shall be given, granted or devised for the use & maintainance of y^e said School & poor schollars, without any farther or other License or authoritie from this governm^t in that behalf; Saving unto the Chief proprietor His Quitrents out of y^e sd Lands. And that the said Overseers, by the same name, shall & may, with Consent of the said meeting, have power & capacitie to demise & grant, by writting, under their hands & Comon seal, any of the sd Lands & tenements, & to take & purchass any other Lands, tenements or Hereditaments, for the best use & advantage of the said schoole. And to prescribe such Rules and ordinances for the good order & governm^t of the same schoole, & of the masters, ushers, mistrisses, and poor children successively, & for their & every of their stipends & allowances, as to the members of the said monethly meeting for the time being, or the major part of ym, shall seem meet; with power also to sue and be sued, & to do, perform & execute all & every other Lawfull act & thing, good and profitable for the said schoole, in as full & ample manner as any other body politick or Corporate, more perfectly founded and Incorporated, may doe.

The Governo^r and Council doe grant this petition as is desired.

Commission to Fran. Nicholson, To appoint Judges, Registers, Marshalls & advocats for the Court of Admiralty of pennsylvania upon vacancie, &c. 26 June, 1697.

WILLIAM THE THIRD, by the grace of God, king of England, Scotland, France & Ireland, defend^r of the faith, &c. To our well beloved Francis Nicholson, esq^r. our present Governo^r of Mary Land in America, & to the Go^r of Maryland for the time being, Greeting: Whereas, wee think it necessarie that for the preventing a failure of Justice, as well in the rexive Courts of admiraltie in the provinces und^r our Imediate authoritie in the west Indies, as in the several proprieties Contained in the Comissions to the Governors of the sd provinces, for want of proper officers to manage those matters upon any present vacancy, or the death or Legal disabilitie of those

who are in present possession of those employments, The said Governors should in such case be impowered to appoint Judges, Registers, marshalls & advocates, not onlie in the sd admiralty Courts of their owne governm^ts, but also in those of the proprieties which are nearest to the same. And wee being desirous that

Justice should be duly administred in all the provinces and places und^r our Imediate authoritie in the west Indies, & also in the several proprieties Contained in the Comissions to the Governors of the said provinces, and by these o^r Letters patents & Comission, particularlie to provide for o^r Courts of admiraltie of Maryland, pennsylvania &

west Jersey, have thought fitt to Impower, & do by these pscnts Comitt & grant unto you, o' present Governo' of Maryland, & to our Governor of Maryland for the time being, full power and authoritie to appoint Judges, Registers, marshalls & advocates for o' admiralty Courts of Maryland, pennsylvania & west Jersey, upon any present vacancie of anie of these offices, or when there shall happen any, either by the death o' Legal disabilitie of those who are or shall be in the possession of the same. And wee do Hereby Require you o' present Governo' of Maryland, & o' Governor of Maryland for the time being, to transmitt as soon as possibly you can, to o' Lord High Admiral of England, or to o' Comrs for executing the office of Lord High Admiral of England for the time being, the names of the respective persons which you shall at any time appoint to the offices before mentioned, in the sd admiralty Courts, in ord' to their being approved or disallowed of: In wittness wherof, wee have Caused the great seal of o' High Court of Admiraltie of England to be hereunto affixed. Given at London, in o' sd Court, the six & twentieth day of June, in the year of o' Lord one thousand six Hundred ninty-seven, & in the ninth year of o' reign.

ORLANDO GEE, regr.

The great seal of the High Court of admiralty of England is sub-pended.

[Locus Sigilli.]

Commission to Mathew Birch, to be Collector of y^e Customs att New-castle.

To all people to whom these presents shall Come, Wee the Comissioners for managing & causing to be Levied & collected his Maties Customs & other duties in this kingdom of England, send Greeting: Know yee, that wee, y^e sd comrs, have, by virtue of an act of parliam' made in the five & Twentieth year of the reign of king CHARLES THE SECOND, entitled, an act for encouragment of the eastland & Greenland trades, & for better securing the plantaon Trade, and in pursuance of the authoritie and direction to us given by the right honble The Lords Comrs of His Maties Treasurie, have deputed & Impowred, & do hereby depute & Impower Mathew Birch, esq^r. to be Collector of all the rates, duties & Impositions arising & growing due to his Matie att Newcastle in pennsylvania, by virtue of the said act. Whereby Hee Hath power to enter into anie ship, bottom, boat, or other vessel; as also into any Shop, House, warehouse, Hostery or other place whatsoever, to make diligent search Into any Trunk, pack, Casse, Truss, or anie other parcel or package whatsoever, for any goods, wares or merchandizes prohibited to be imported or exported, or whereof the Customs or other duties have not been duly paid, and the same to seize to his Matjes use; as also to putt in execuon all other Lawful powers & authorities for the better managing or collecting the sd duties, In all things proceeding as the Law directs; Hereby praying & requiring all &

Locus
Sigilli
Custum. }

every his maties officers & ministers, & all others whom it may Concern, to be aiding & assisting to him in all things as becometh. Given und' our Hands and seal, at the Custom-House, London, this Twenty-first day of November, in the eight year of the reign of o' Sovereign Lord WILLIAM THE THIRD, annoque domi, 1696. Robt. Clayton, Robert Southwell, Walter Yonge, Sam. Clark, Ja. Chadmesh. Indorsed thus:—province of pennsylvania, 21st March, 1697-8. The within Mathew Birch, esq^r., did upon the day above written, Swear on the Holy Evangells of Almighty God, that he wold diligentlie & faithfullie execute the within Comission, in presence of mee.

WM. MARKHAM, Governo^r.

Recorded 29th March, 1698.

Commission to John Bewley, To be Collector of the Customs att
To all people to whom these presents shall come, Wee the Comrs for managing & causing to be Levied & collected his maties Customs & other duties in this kingdom of England, sends Greeting: know yee, that wee, the sd comrs, have by virtue of an act of parliam^t made in the five & Twentieth year of the reign of king CHARLES THE SECOND, entitled, an act for encouragment of the eastland and greenland trades, and for better securing the plantation trade, & in pursuance of the authoritie & direction to us given by the Right Honble the Lords Comrs of his maties Treasury, Have deputed and Impowred, & do hereby depute & Impower John Bewley, esq^r., to be Collector of all the rates, duties and Impositions arising and growing due to his matie att Philadelphia, in Pennsylvania, by virtue of the said act. Whereby hee Hath power to enter Into anie ship, bottom, boat or other vessel, as also into any shop, house, warehouse, hostery, or other place whatsoever, To make diligent search into any trunk, pack, Casse, truss, or any other parcel or package whatsoever, for any goods, wares or merchandizes prohibited to be imported or exported, or whereof the Customs or other duties have not been duly paid, & the same to seize to his maties use; as also to putt in execution all other Lawfull powers & authorities for the better managing or collecting the said duties; In all things proceeding as the Law directs. Hereby praying & Requiring all & everie his Maties officer & ministers, & all others whom it may concern, to be aiding & assisting to him in all things as becometh. Given und' o' Hands & Seal, at the Custom House, London, this twenty-first day of November, in the eight year of the reign of o' Sovereign Lord, WM. THE THIRD, Annoq domi, 1696. Robt. Clayton, Robert Southwell, Walter Yonge, Sam. Clark, Ja. Chadmesh. Indorsed thus:—province of pennsylvania, 21st March, 1697-8. The within John Bewley, esq^r., did, upon the day above writtin, swear on the

Holy Evangells of almighty God, that hee wold diligentlie & faithfully execute the withia Commission, In presence of mee.

WM. MARKHAM, Goverlo'.

Recorded 29th March, 1698.

Commission to Mathew Birch, To be Surveyor & Searcher of the Customs in pennsylvania.

Edward Randolph, esq^r., Surveyo^r General of His maties Customs on the Continent of America, & Islands adjacent, To Mathew Birch, esq^r. By virtue of a deputaon granted me by the Honble the Comrs of his Maties Customs in London, bearing date the 13th day of October, 1691, & in pursuance Likewise of additional articles of instructions from y^e Honors, dated att the custom hous in London y^e 22^d of 7br, 1697, directing mee, amongst other things, that in Case of any vacancie by y^e death, or wart of any of the officers of y^e Customs, or otherwise, To appoint some fit and able person to serve yrin; And finding no Surveyor & searcher in the province of pennsylvania & Counties annext, I do hereby depute & Impower you, the sd Mathew Birch, to be Surveyo^r and searcher of his maties Customs, in the sd province of pennsylvania & Counties annexed, with all the rivers, bays, Creeks & Harbours yrunto belonging, With power to enter any shipp, bottom, boat, or other vessel, as also into any Shop, house, warehouse, Hostery or otherwise, whatsoever, to make diligent search Into any trunk, chest, Casse, truss, or anie other parcel or package whatsoever, To make diligent search for any goods, wares or merchandizes prohibited to be imported or exported, grof the Customs & duties have not been duly paid, and the same to seize for His Maties use; & also to putt in execuon all other Law^l powers & authorities for the better managing & causing to be Collected the said duties, in all things as y^e Law directs, following & observing all such Rules & instructions as you shall from time to time receive from y^e Comrs of His Maties Customs in England, or from the Comrs of His Maties Customs for the time being. Given und^r my hand & seal of office, att y^e port of philadelphia, the 25th day of March, Annoque domi, 1698, & in the Tenth year of the reign of o^r Sovereign Lord king WILLIAM Y^e THIRD of England, &c.

EDWD. RANDOLPH, Surveyo^r Gen^l.

Recorded 29th March, 1698.

[19th May, 1698.

Att a Council Held att philadelphia, die Jovis, 19th May, 1698.

PRESENT:

WM. MARKHAM, esq'. Lievt. Governo'.

Samⁿ Carpenter,

Wm Biles,

Wm Rodeney,

Edwd Shippen,

David Lloyd,

Wm Clarke.

Joseph Growdon,

Jn^o Simcocke,

Upon Reading y^e petition of peter gronendyke, for a rehearing of a trial hee had in the year 1690-1, wherein hee was Convicted of perjury, The same was rejected.

Upon Reading the petition of Nicholas Skull & others, Requesting that there may be an allowed rode from the Lime-kilns, for carting of Lime to philadelphia, extending from the sd Lime kilns Into plimouth rode, neer Cressoon, where there is neither Improved Land, Hill nor water to impede,

Ordered that Wm Harmer, Jn^o fisher, Daniel Howell, Edward Burch, Thomas Rutter and Nicholas Skull, do see Lay out the said rode, The nearest & most Convenient that may be, & to the Least prejudice of the Improvts of y^e nighbourhood, and to make return yrof in a protracted figure & words, into y^e Secries office, In order to & as a final Confirmaon yrof.

Upon Reading the petition of Ann Baynton, Setting forth that her husband, peter Baynton, Late of Chester Countie, some years ago removed himself & most of his estate to England, & left her destitute of a Competent means of Livelyhood, promising in some short time to return, & that hee has Latelie sent over a Letter to her that hee has taken another wife there, & never intends to return hither, nor take anie care for her subsistence, & that hee will draw the remaining effects over to England, & Leave her wholie destitute of means of Living, And yrfor Requesting the Governo' & Council to grant her an ord^r to take & possess all that is Left or can be found, of her sd husband's estate within this govrnm', towards her necessa-rie Support & alim' as to Justice & equitie does appertain,

Ordered that it shall & may be Lawfull for the said Ann Baynton to take into her hands & possession all that is Left or can be found of her sd husband's proper estate wtin this govrnm', towards her support and aliment, as is desired; and it's further ordered, that all & every person & persons whatsoever, wtin this province & Territories, having any of the sd peter Baynton's estate, real or psonal, in their hands or possession, as attorney or otherwise, shall upon sight hereof, deliver the same to the said Ann Baynton, towards her sd support & aliment, whois receipt shall be their sufficient discharge from the sd peter Baynton, his heirs, exers, admrs or assigns, and shall be accordingly deemed & taken in all Courts & before all magistrates within this government.

Upon reading the petition of George Claypoole, setting forth that being one of the younger children of James Claypoole, deced, & who by his last will & Testamt give to such of his children as is yrin menoned, all his front Lott of Land, w' y^e Improvements yrof, to ym

PRESENT:

WM. MARKHAM, esq. Lieut. Governor.

Wm Robinson,
Wm Clarke.Wm Biles,
David Lloyd,
Jr. Simcocke,Sam^r Carpenter,
Edwd Shippen,
Joseph Growdon,

Upon Reading y^e petition of peter grownsdyke, for a rehearing of a trial hee had in the year 1680-1, wherein hee was convicted of perjury, The same was rejected.

Upon Reading the petition of Nicholas Skill & others, Requesting that there may be an allowed rode from the Lanes-Kings, for carrying of Laine to Philadelphia, extending from the sd Laine Kings into Plymouth rode, near Cressoon, where there is neither improved land, Hill nor water to impede,

Ordered that Wm Harner, Jⁿ. Fisher, Daniel Howell, Edward Butch, Thomas Rutter and Nicholas Skill, do see Lay out the said rode, The nearest & most Convenient that may be, & to the least prejudice of the improve of y^e neighbourhood, and to make return rot in a protracted figure & words, into y^e Secesh office, in order to & as a final Confirmation yrot.

Upon Reading the petition of Ann Baynton, Setting forth that her husband, peter Baynton, late of Chester County, some years ago removed himself & most of his estate to England, & left her destitute of a Competent means of Livelyhood, promising in some short time to return, & that hee has Lately sent over a Letter to her that hee has taken another wife there, & never intends to return hither, nor take any care for her subsistence, & that hee will draw the remaining effects over to England, & leave her whole dependance of means of Living, And y^etor Requesting the Governor & Council to grant her an ord^r to take & possess all that is Left or can be found of her sd husband's estate within this govern^t, towards her necessary Support & allm^t, as to Justice & equity does appearain,

Ordered that it shall & may be Lawfull for the said Ann Baynton to take into her hands & possession all that is Left or can be found of her sd husband's proper estate with this governm^t, towards her support and allment, as is desired; and it's further ordered, that all & every person & persons whatsoever, with this province & Territories, having any of the sd peter Baynton's estate, real or personal, in their hands or possession, as attorney or otherwise shall upon sight hereof, deliver the same to the said Ann Baynton, towards her sd support & allment, whose receipt shall be their sufficient discharge from the sd peter Baynton, his heirs, execs, administrators, and shall be accordingly deemed & taken in all Courts & before all magistrates within this government.

Upon reading the petition of George Claypoole, setting forth that being one of the younger children of James Claypoole, deced, & who by his last will & Testament gave to such of his children as is y^e mentioned, all his front Lot of Land, w^y improvements yrot to ym

& yr heirs forever, and y^t yor petitionr having proposed divers wayz for a division yrof, but all to no purpose, and yrfor Requesting the Go^t & Council to order y^e sd division,

Resolved that the sd division be made by the ordinary, according to y^e Laws of this province, &c.

Comission. William Massey, to be Collector of the Customs att Lewis, in pennsylvania.

To all people to whom these presents shall come, Wee the Comissioners for managing & causing to be Levyed & collected His maties Customs, subsidies and other duties in this his kingdom of England, send greeting: Know yee, that wee, the sd Com^r Have by virtue of an act of parliam^t made in the five & Twentieth year of the reign of king CHARLES THE SECOND, intituled an act for encourgment of the eastland and greenland trades, & for better securing the plantaon trade, and in pursuance of the authority and direction to us given by the right Honble the Lords Comrs of his matjes treasury, deputed and Impowered, and do hereby

Locus	}	depute and Impower WILLIAM MASSEY, esq ^r , to be
Sigilli		Collector of all the rates, duties & impositions arising &
Cust.		growing due to his matie at Lewis, in pennsylvania, by

virtue of the said act, wherby hee hath power to enter into any Ship, bottom, boat, or other vessel, as also into any Shop, house, warehouse, hostery or other place whatsoever, to make diligent search into any trunck, chest, pack, Casse, truss or any other parcel or package whatsoever, for any goods, wares, merchandizes, prohibited to be imported or exported, or whereof the Customs or other duties have not been duly paid, & the same to seize to his maties use; as also to put in execuon all other the Lawful powers & authorities for the better managing and Collecting the sd duties, in all things proceeding as the Law directs; Hereby praying and Requiring all & every his Maties officers & ministers, and all others whom it may concern, to be aiding and assisting to him in all things as becometh. Given under Our hands and seal, at the Custom house London, the Twenty-first day of Novemb^r, in the eight year of the reign of our Sovereign Lord, king WILLIAM THE THIRD, Annoque domi, 1696. so Subt. Robert Southwell, Godolphin, Walter Yonge, Sam. Clark, Ben. Overton. Recorded 1st July, 1698.

Edward Randolph, esq^r, Surveyo^r General of his maties Customs in the plantaons & Colonies on the Continent of America, and Islands adjacent, To Captain John Jewell. By virtue of a deputaon granted me by the Honble y^e Comrs. of his maties Customs in London, bearing date y^e 13th day of Octo^r, 1691, & in pnuance Likewise of additional articles of Instructions from their Hon^{rs}, dated at the custom

house in London, y^e 22^d day of Sept^r, 1697, directing mee amongst other things, that in case of any vacancy by the death of any officer of the Customs or otherwise, to appoint some fit & able person to serve yrin, giving notice yrof for their Hon^r directions yrin, and finding a present want of an officer in the province of pennsylvania, in America, I do constitute & appoint you, the sd Jno. Jewell, to be Surveyor and Searcher of his maties customs in the province of Pennsylvania & Counties annexed, & all the rivers, creeks & bays yrunto belonging, With power to enter into any Ship, bottom, boat, or other vessel, as also Into any Shop, ware-house, hostery, or other place whatsoever, to make diligent search into any trunk, chest, pack, Case, truss, or any parcel or package whatsoever, for any goods, wares or merdizes prohibited to be Imported or exported, qrof the Customs & duties have not been duly paid, and the same to seize for his maties use; and also to put in execuon all Lawful powers and authorities for the better managing and Collecting the said duties in all things as the Law directs, following and observing all rules and Instructions as you shail from time to time receive from the Comrs of his Maties Customs for the time being. Given und^r my hand & seal of office, att the port of Philadelphia, this 15th day of April, in the tenth year of his maties reign, annoq dui, 1698.

E^d RANDOLPH, Surv^r gen^l.

I, Nicholas Hayward, Notary & Tabellion publick, dwelling in London, admitted & sworn, do Certifie & attest unto all whom it may concern, that I have seen and perused certain Letters patents of denization, granted by our Sovereign Lord and Lady king William & Queen Mary, under the broad seal of England, dated the 15th of April, in the fifth year of their sd maties reign, wherein among others, are inserted the names of francis Bassett, Mary Magdalen his wife, Susanna Magdalen & Susannah, their daughters, who though born beyond seas, are made their majesties Leige subjects, and to be held, reputed and taken as subjects born in this kingdom of England; & may as such purchase, buy, sell, and dispose of Lands, tenements and Hereditaments, in this kingdom or any other of their majesties dominions, as freely, peaceably & entirely as anie subject born in this kingdom; and that the sd francis Bassett, Marie Magdalen his wife, Susanna Magdalen and Susannah, their daughters, by virtue of the said Letters patents, are to enjoy all Liberties, priviledges and franchises of subjects born in this kingdom, without any disturbance, Impediment, or molestaon as by the said patent, relaon being thereunto had, may more at Large appear, of all which act being required of mee, the sd notary, I have granted these presents to serve & avail the said francis Bassett, Mary Magdalen his wife, Susanna Magdalen & Susannah, their daughters, y^e time & place convenient, y^e 25th of April, 1693, & in the 5th year of y^r matjes reign. In Testimonium veritatis Signo meo manuali Solito Signari, et Tabellionatus mei Signillum apposui, Roga tus: Nich^o Hayward, Nota. pub. Locus Sigilli. Entered in the Clark's office of the Citie of New york, in the book of deeds N^o 18, pag.

257, y^e 23^d day of Sept^r, 1693, p. Will. Sharp as Ck. Indorsed thus : personallie appeared before mee, the within named Francis Basset, who made oath upon the Holy Evangells of Almighty God, that hee is the verie self same individual person mentioned in & intended by the within mentioned Letters patents, & no other, So Subt.

WM. MARKHAM, Locus Sigilli in margine.

Record 3^d August, 1698.

[3^d Sept^r, 1698.

Att a Council Held att Philadelphia die Sabbathi, y^e 3^d September, 1698.

PRESENT :

WM. MARKHAM, Esq^r, Leivt. Governou^r.

Sam ^l Carpenter,	Jn ^o Simcoke,	Wm. Biles,
Edw ^d Shippen,	Joseph Growdon,	Wm. Clark.
David Loyd,		

The Lt. Go^r acquainted the Council y^t hee had received a Lre from y^e Justices of the peace of Sussex County, & desired y^e Secrie to read it, which hee dōl, viz : may it please yo^r Hono^r, This to o^r Sorrows, but according to our duties, is to inform, That on friday Last, in the afternoon, a smal snug-Ship & a Sloop came too wtin our Cape, not wholly undescried, but little dreaded o^f being an enemy or french, both which they proved, & yesterday morning Landed about 50 men, well armed, & came up y^e town & plundered almost every house yrin, Comitting great spoil, breaking open doors & Chests, and taking away all money or plate to be found, as also, all manner of goods & merdizes worth any thing, together with ruggs, blanketting, & all other bedd Covering, Leaving scarce any thing in y^e place to Cover or wear. They brought two English prisoners on shore wt ym bound, one of ym known to be Jn^o Reedwood, of Philadelphia, His Boy, with whom they wold Sufferr no Converse, but wee suppose y^e sd sloop to be said Redwood's, taken Coming out Cinnepuxon Inlett; They all went on board Last night; killed several Sheep & Hogs. They Continue still att anchor in yr birth, as neer in the bay opposite to this towne as they well can find water to ride in, & it's doubted they will be on shore again before night for more Cattle, if not to burn y^e houses; but wee shall endeavo^r to Scare ym. They Ly ready for all mischief inwards or outwards by Land or water, and Have pilots any way. They are now in Chasse Inwards of a Briganteen with their sd sloop. The briganteen outsails ym, & wee Hope in God will escape. They are begarly Rogues, and will pillage for a trifle, and do think they may tarry Long enough untill y^e man of warr att York may have Speedy notice. They took about eleven of y^e Chief of o^r town prisoners, & when they had made ym help on board their plund^r, dismiss all except one man, Cap^t. Watson's Carpenter. This place is very open for danger, & verie naked for defence. M^r Clark's House

PROVINCIAL COUNCIL.

237, y. 13, day of Sept., 1893, p. Will Sharp as Ck. Indorsed the
 personal appeared before me, the within named person named
 made oath upon the Holy Evangelists of Almighty God, that he
 the verie self same individual person mentioned in & intended by
 within mentioned Letters patents, & no other, &c. Subst.
 W.M. MARKHAM, Locum Sgill in mortis.
 Record 3, August, 1893.

[3, Sept., 1893.
 An a Council Held at Philadelphia the Sabbath, y. 3, September,
 1893.

PRESENT:

W.M. MARKHAM, Esq., Lieut. Governor,
 Saml. Carpenter, In. Simcoe,
 Edw. Shippen, Joseph Growden,
 David Loyd, Wm. Biles,
 Wm. Clark.

The Lt. Gov. acquainted the Council, he had received a letter
 y. Justice of the peace of Sussex County, & desired y. Justice to
 it which he had, viz: may it please y. Hon. This to y. Justice
 but according to our duties, is to inform, That on Friday last, in the
 afternoon, a small sloop & a sloop came too with our Cape, in
 wholly unexpected, but little dreaded of being an enemy or French
 both which they proved, & yesterday morning landed about 30 men
 well armed, & came up y. town & plundered almost every house y.
 Committed great spoil, breaking open doors & chests, and taking
 away all money or plate to be found, as also, all manner of goods &
 merdizes worth any thing, together with tugs, planktoning, & at
 other beds covering, leaving scarce any thing in y. place to cover
 or wear. They brought two English prisoners on shore with them bound
 one of ym known to be Lt. Redwood, of Philadelphia, His Boy, with
 whom they would suffer no converse, but we suppose y. sloop
 he said Redwood's taken Conning out Cinnapuzen Island; They an
 went on board last night killed several sheep & hogs. They con
 nune still at anchor in y. birth, as near in the bay opposite to this
 town as they well can find water to ride in, & it's doubtful they will
 be on shore again before night for more cattle, if not to burn y.
 houses; but we shall endeavor to scare ym. They fly ready for all
 mischief inwards or outwards by land or water, and have shown any
 way. They are now in Charles lawards of a Brigadier with their
 ed sloop. The brigadier outside ym, & we hope in God will
 escape. They are surely fugues, and will pillage for a while, and
 do think they may carry Long enough until y. man of war an York
 may have speedy notice. They took about eleven of y. Chief of
 town prisoners, & when they had made ym help on board their pland
 amidst all except one man, Cap. Watson's Carpenter. This place
 is very open for danger, & very naked for defence. M. Clark's House

& goods Hath Sufficiently shared in y^e villany. Wee hope wee need not repeat y^e Calamities aforesd. nor y^e great terror yⁱ must needs here attend all Sexes & Sizes; all which is Submitted to yo^r Hono^r most Serious Consideraon, By Sir, yo^r Humble Servants.—Luke Watson, John Hill, Tho. Oldman, Jonat Baily.

Therafter the Lt. Go^r sent for Tho. Simkins, mariner, who appeared, & aged fourty years, made oath yⁱ y^e name of y^e vessel yⁱ took him hee knows not, but yⁱ it was a pirate named Canoot, on board Jn^r Redwood's sloop, & yⁱ y^e sloop that took ym was said to belong to one Willam, in providence, & that the pirate took her about the Bahama Islands, as his men said, & that Hee took y^e deponent and said Reedwood's Sloop off Cinapuxon Inlett, 30 miles below y^e Cape, & that they wer taken y^e 3^d Aug^t, & that y^e sd Canoot kept still on board sd sloop, shee being the best Sailor, & yⁱ y^e sd Capt. shott one of his owne men for some misdemeanor as they said, formerly comitted by him. And further saith not.

Edward Gillibrand, aged about 36 years, being sent for, appeared & made oath yⁱ hee was M^r of y^e dunmore of Liverpoole, & came from Rapahannock river, out of y^e Capes of Virginia, y^e 17th Aug^t. Last, & was taken by y^e sd pirate y^e 19th, with the sloop yⁱ now Lyes att philadelphia; yⁱ hee was taken about 75 Leagues off y^e Capes of Virginia, about E. N. E. the pirate Lay fair northerlie off y^e Cape, & Laid him athwart y^e Hause & boarded him att once, & yⁱ y^e pirate fired but killed none on board him; that hee knows not y^e Sloop's name yⁱ took him, and yⁱ at Rapahannock hee was told yⁱ many pirats wer on y^e coast, & yⁱ hee heard y^e pirats say yⁱ y^e sloop qrin they took him belonged to providence, & further says not.

The which Lre & depositions being read, The Lt. Go^r ask't y^e advice of y^e Council yrin, Whoise ans^r was: That seeing y^e king's Lres patent impowers y^e proprietarie, His Heirs & assigns, by ymselves or y^r Captains, or other their officers, to Levy, muster & train all sorts of men, of what condion or qrsoever born, in y^e province of pennsylvania, for y^e time being, & to make warr, & to psue y^e enemies & robbers aforesaid, as well by sea as by land, even wtout y^e Limitts of y^e sd province, & ym, by God's assistance, to vanquish & take, & being taken, to putt to death by y^e Law of war, or to save ym, att y^r pleasure; And to do all & everie other thing which to the charge & office of a Capt. general of an army belongeth, or Hath accustomed to belong, as fullie & freele as any Capt. General of an army ever had y^e same. And seeing the Lt. Gor. is vested with the above sd powers of a Capt. General, & is not scrupulous to putt y^e same in execucion; Therefore, y^e sd members of Council do referr y^e managmt of y^e whole affair upon this & y^e Like emergencie, to his conduct & prudence. And It is y^e Opinion of this board, that what charge shall accrew yrby, ought to be speedily raised by a provincial tax.

The petition of David Evans being read, Setting forth His Long Imprisonment, & yⁱ notwithstanding y^e great charge Hee has been att in procuring evidences of his being cleared in England, by his Country, on a fair trial of the Crimes alledged ag^t him, yet is still detained

Close prison, to His ruine; and therefore Requests enlargm^t & y^e enjoymt of his Liberty. Resolved y^e y^e petition^r make His applicaon to y^e Judge of y^e Court of admiralty, for his enlargement Or Speedy trial.

[24th Sept^r, 1698.

Att a Council Held att philadelphia die Sabbathi, y^e 24th day of Septemb^r, 1698.

PRESENT:

WM. MARKHAM, Esq^r, Lieut. Governor.

Sam ^a Carpenter,	Rich ^d Halliwell,	Jn ^o Donaldson,
Joseph Growdon,	John Simcocke,	William Clark,
Wm. Biles,	David Lloyd,	

The Lt. Gor said: Gentl, There Has Hapened here in this town an action that hath verie much troubled me, & I think in it self verie Irregular, viz: There wer some goods & merdizes Seized by y^e king's Collectors for goods imported Contrary to Law, The wch goods Coll. Robt. Quarry, Judge of the Court of admiraltie for this pvince & territories, by his warrt to Robt. Webb, marshall of y^e sd Court, took from y^e said Collectors, & Comitted ym to y^e custodie of y^e sd marshall, and y^e sd Coll. Quarry being upon going to Maryland, I was petitioned by Jn^o Adams, y^e owner of y^e said goods, for a replevin, in these words, viz: "To y^e Honble Wm. Markham, esq^r, Go^r of the "province of pennsylvania. The Humble petition of Jn^o Adams most "humbly Sheweth, That yo^r petitioner did, in y^e mo. of June Last "past, ship a Considerable Quantitie of goods on board y^e sloop "Jacob, Francis Basset M^r., bound for this place from New york "wch sd goods, for want of a Certificate, wer seized att New- "castle; whereupon I, as in duty bound, made my applicaon to yo^r "Hon^r, & yo^r Hon^r was pleased to promise mee all y^e favour you "Could in such a Case grant mee, And by yo^r Honor's advice, I "went down to Newcastle to treat with the Collecto^r concerning that, "who not willing to take any advantage to Ruine mee, was verie "willing to observe yo^r Honor's Comands & directions, so y^e I hoped "(as I thought on good ground) to Have my goods returned mee upon "an appraismt, till y^e Court wold be. A smal time after my certifi- "cate Came from Newyork, which I showed to the Judge of the ad- "miraltie, & to Esq^r Randolph, & requested I might have my goods. "The Judge told me if I had 1000 Certificates I could not have my "goods but in a Legal way, Becaus hee said y^e M^r was not Qualified "according to Law. I submitted to it, and pray'd I might have my "goods prized, & wold give in good securitie to ans^r it att Court, "which was promis't mee (as soon as y^e provost marshall had his "Comission, which yet hath not been granted;) Tho' hee who was

"the author of all my trouble, & an alien, had his goods & vessel de-
 "livered to Him; & I was still putt off with fair promises that I should
 "have ym; when y^e advocate (y^e is to be) had been att Newyork &
 "come back again, I should have ym delivered to me instantly. I
 "y^e meantime, understanding I had a Cargo of goods arrived there
 "for mee, I went to Newyork to dispose of y^e same, And meeting wt
 "y^e Advocate on my journey, Hee told mee I might have my goods
 "if I wold give bail according to my prime Invoice, wch I was will-
 "ing to do, rather than to Consume so much of my precious time
 "waiting for I know not what, and so made all possible Haist to New-
 "york & putt my goods Into a merts. Hands there to sell for mee,
 "allowing Him Usual Comissions, in regard I was Unwilling to ne-
 "glect my troublesome bussines here, in hopes of a Speedy dispatch,
 "according to the manie Reiterated promises made mee. So I made
 "post from Newyork back again, & Have since made my applicaon to
 "y^e Judge of y^e admiraltie, and delivered him my Invoice to puse, &
 "offered him my oath to it. He told me he wold Consider of it, &
 "since tells mee hee can do nothing in it, and gave mee some Hints
 "as though it Stuck wt yo^r Hon^r, & am still putt off wt fair words,
 "but no such actions. So y^e I have assumed the boldness once more
 "to address to yo^r Hon^r, Hoping & Humbly requesting y^e yo^r Hon^r
 "will please to Consider the great Charge I have been att in having
 "my goods seized, & paying ten shills p. week storige, almost these 2
 "mo's., & in having ym detained from mee; my several chargeable
 "and uncomfortable voyages to Newcastle (by yor Honors advice)
 "to treat with the Collector; my great charge, pains, & trouble in
 "Coming back from Newyork, together with my great Charge &
 "Inconveniencie in Leaving my goods there on Comissions; my in-
 "tolerable Charge in y^e Loss of my precious time, & extraordinary
 "expenses I am dayly att; the Loss of my market & damnyfying of
 "my goods, wch, for aught I know, may be rotten before y^e Court of
 "Admiralty be Constituted, the Judge being bound to Maryland for y^e
 "advocat's Comission; the great detriment it hath been to my health,
 "being fallen away since I came almost to skin & bones, by Continual
 "Concernedness for my hard, Unheard of Usage; the great destruction
 "of my bussines att home & abroad; the impairing my Creditt, the
 "best Jewell I have; the utter, unavoidable Ruine of my dear wife &
 "children; y^e smal, or no advantage that can redound to his matie or
 "yo^r Hono^r by with-holding ym from mee; all which tends to the dis-
 "honor of his matie in having his subjects wronged in pson & estate,
 "by Hard hearted, unreasonable officers, & y^e discouragm^t of y^e
 "growing trade of this province. Yo^r petition^r Humbly prays yo^r
 "Hon^r to Consider y^e premises, and grant Hee may Have his goods
 "on an appraismt, by sworn appraisers or anie other ways, as yo^r
 "Honrs great wisdom may think fitt, being willing to give in Securi-
 "tie to ans^r what may be alledged ag^t my goods, and abide y^e Ord^r of
 "y^e Court. And yo^r petition^r, as in duty bound, shall ever pray for
 "yo^r Honrs Happiness & prosperity. JOHN ADAMS, philadelphia,
 "August 19th, 1699."

I made ans' that I wold not medle with any thing that Lay before the Court of admiralty ; But the day after, as I take it, the sd Coll. Quarry went out of this Town, The sd Jn^o Adams, Owner of the goods seized, obtained from Anthony Morris, one of the Justices of y^e peace for this County, a warr^t, by y^e name of a warr^t of Replevin, which was executed by y^e under Sheriff, and the goods taken from y^e marshall & delivered to the sd Jn^o Adams, y^e owner yrof.

Upon the Complaint of y^e marshall, I wrote to the Sheriff y^e 27th Aug^t, 1698, in these words, viz : " Mr. Claypool, I wonder such " an action of replevying y^e goods in y^e hands of y^e marshall of y^e " admiralty should be done without my knowledge: It was but yes- " terday that I was petitioned for a Replevin, which I refused; & I " think I have as much power as any man in this governm^t. What " complaints & damages may arise from this Let the actors ans' for ; " since I cannot undo what's done, I will declare ag^t y^e proceedings of " all who were concerned in it: my advice to you is, & I expect that " every thing you have taken by virtue of the warr^t of Replevin, be " forth coming in its proper specie." To which the sd Sheriff made an- " swer in these wrds, viz : " Sir, I perceive by yors, y^e Adams of " Boston had been with you to request the grant of a Replevin, & y^e " hee had yo^r denial. Hee came to mee about foure in the afternoon " yesterday, & desired to have a Replevin of certain goods that was " taken from him by Robt. Webb, not naming him to mee by any " office, & the writt named him Robt. Webb, gentl; I knew not that it " any way interfered with the Court of admiralty, neither did I either " hear or know any ways that hee had been with you. Replevins " have been always here granted by the Justices, and never ques- " tioned by the Sheriff, no more than writts of arrest. I took of him " bond w^t Securitie in 300lb. for y^e goods to be forth coming, being " several sorts of English goods, five bolts of Canvass, & five $\frac{1}{2}$ bar- " rels of East India goods, and that hee shall make restituon of y^e sd " goods, if it shall be so ordered by y^e Court. Had I known you " had been interceded about it, wold not have any wayes medled in it " wtout yo^r approbaon; So hope my ignorance yrof may plead my " excuse, being ever willing to obey yo^r Comands to y^e best of my " power and ability, so subt. JOHN CLAYPOOLE, 7th Aug^t, " 1698." And Seeing the sd Robt. Webb, marshall of the admiralty, came no more near mee, I sent the Sheriff the following warrant, viz : " province of pennsylvania; By the Lt. Go^r. Whereas, several " goods & merchandizes wer seized by M^r Jn^o Bewley & M^r Mathew " Birch, Collectors of his Maties Customs wthin this governm^t; which " goods wer delivered by ym Into y^e hands or possession of M^r Robt. " Webb, marshall of y^e Court of Admiralty, in ord^r to have ym tryed " in y^e same Court, as goods illegallie imported, Which goods wer by " the Sheriff of y^e Countie of Philadelphia, taken from the sd Rob^t " Webb, by virtue of a warrant of Replevin from a justice of the " peace of the sd Countie, & the goods delivered to Jn^o Adams, the " pretended owner thereof; I do yrf^r hereby will and require you, to " take into yo^r possession y^e same & sd goods, & safely keep ym, " untill further order, or that they be brought to trial in such Court

"y^e Informer shall think fitt, according to Law, for which this shall
 "be yo^r sufficient warr^t. Given att Philadelphia, this 27th day of Aug^r,
 "in y^e 10th year of y^e reign of king Wm., & 18th of y^e proprietor's
 "govm^t. Annoque domi, 1698, Wm. Markham. To M^r Jn^s Clay-
 "pool, High sheriff of philadelphia Countie." And the sd Sheriff
 wrote mee in answer this, viz: "Aug^r 30th, 1698. Sir, Jacob May,
 "(the under Sheriff,) Has been yesterday & to-day about the execuon
 "of yor warrt for seizing & Securing of y^e goods taken by replevin,
 "& have not as yet any accot yrof: I hope to wait on you to morrow,
 "& receive yo^r further Comands. To Subt, John Claypoole." Ther-
 after the marshall, Rob^t Webb, posted outt of town after Coll. Quar-
 ry, & overtook him at New castle, and there drew up a narrative &
 swore to itt, but know not as yet what it is; But Coll. Quarry att his
 return to philadelphia, told mee hee had sent several Copies of it
 home, w^t Coments upon it as large as the Circumstances of the thing
 wold bear, wt reflections upon mee in it. I told him I thought hee
 had been to quick in writting home before hee had first inquired in
 ye matter Himself. Then the Lt. Go^r said, Gentl, Its now late, yrfor
 wee'll adjourn till Moonday y^e 26th instant, & in y^e meantime I desire
 you will think of what I Have Laid before you, and y^t you will be
 readie by y^t time to assist mee wt yo^r advice in this matter.

Adjourned to 26th instant.

[26th Sept^r, 1698.

Att a Council Held att philadelphia, die Lunæ, y^e 26th of September,
 1698.

PRESENT:

WILLIAM MARKHAM, Esq^r. Leiut. Governo^r, et ysdem ut antea.

The Lt. Go^r said: Gentl, I Hope you Have by this time Consid-
 ered of what I Laid before you y^e 24th instant, & are ready to give
 me yo^r advice yrin. I ask your opinion of the action of Anthony
 Morris, the Justice of y^e peace y^t granted y^e writt of replevin, becaus
 Coll. Quarry, the Judge of the admiralty, aggravats it as an action
 of y^e governm^t, and I think no action of any Justice of the peace,
 nor no unjust proceedings of any Court, can be termed an action of
 y^e governmt.

It was resolved, that the granting of y^e sd replevin was no act of
 the government, nor was the Governor any wise Consenting or privie
 thereto.

Therafter, three of the Justices of y^e peace for the County of phila-
 delphia, viz: Anthony Morris, Sam^l Richardson & James flox, pre-
 sented to the Go^r & Council the paper following, viz: "May it please
 "the Go^r & Council, Wee, the Justices of the County Court of phila-
 "delphia, understanding that some complaints have been made to you
 "ag^t o^r proceedings in a replevin Latelic granted by one of us to John

“Adams, mert, returnable to o’ last Court, do humbly offer this following answer for o’ vindicaon. First, that wee look upon a replevin to be the right of the king’s subjects to have, & or duties to grant, where any goods or Cattle are taken or distrained. 2dly, That such writts have been granted by the Justices, & no other in this govern’, the p’ties giving bond with Surties, to the Sheriff, for redeliverie of such goods in case y^e pltf. in the replevin be cast, according as is usual in England in such cases. 3dly, That since wee understand how the goods in Question wer Seized & secured in y^e king’s store house, wee might have just grounds to conceive that the Sheriff might be as proper to secure the same to be forth coming in Specie, as by the replevin hee is Comanded, as that they should remain in the hands of Robt. Webb, who is no proper officer as wee know of, to keep the same, nor hath given any Security or Caution to this governm’t to ans^r the king and His people in that respect, as wee can understand. Lastly, That wee att o’ Last Court, finding this matter to be weighty, tho’ wee did not know of any Court of admiralty erected, nor psons Qualified as wee know of to this day, to hold such Court, yet wee forbore the triall of y^e sd replevin, & Continued it untill wee further advised, & so the pties are to come before us again att next Court, where wee should be glad to receive some advice yrin from you; And rest yo’ Loving friends, Anthony Morris, Sam^l Richardson, James ffox, philad. y^e 27th of y^e 7th mo., 1698.”

Adjourned to y^e 27th instant.

[27th Sept’, 1698.

Att a Council Held att philadelphia die Martis, 27th Sept’, 1698.

PRESENT:

WM. MARKHAM, Esq^r. Leiut. Governo^r, et ysdem ut antea.

The Lt. Go^r Sent for the Justices of y^e peace of the sd County of philadelphia, that Satt on the bench the last Countie Court. There appeared Anthony Morris, Sam^l Richardson & James ffox, (Edward Shippen, one of ym, being gone to New england,) The Lt. Go^r told ym y^e Coll. Robt. Quarry & m^r Jn^o Moor, had been with him, & told him y^e in y^e sd Last County Court, there wer great reflections made upon Coll. Quarrie’s pson, & his Comission; And that the Court permitted a petition to be read in Court that had many reflections in it upon sd Coll. Quarry, wtout any reprimand or notice taken of it. Gentl, I am sorry to Hear & unwilling to believe these things. But y^e I may be satisfied in y^e truth yrof, I sent for you to have it examined before this board; But y^e time of y^e provincial Court’s circuit being come, wherein Some of y^e Council are Judges, I cannot have a Quorum of y^e Council until y^e sd Court be over, and then I shall call a Council on purpose to examin y^e sd Complaints. Whereupon some of y^e members of Council moved that the Lt. Go^r wold be pleased to Cause Coll.

Quarry & Jn^o Moor, to reduce y^r Complaints to writting, y^r y^r psons Concerned might make their defence thereunto.

Adjourned till further order.

MINUTES OF COUNCILL IN ASSEMBLIE, Anno Ri. Rs.
Gulielmi tertij Angli, &c. decimo.

10th May, 1698.

Att a Council Held att philadelphia, die Martis, 10th May, 1698.

PRESENT:

WILLIAM MARKHAM, Esq^r., Leuit. Governo^r, by virtue of a Commission granted to him by the Right Honble William penn, absolute proprietor and Governo^r of the province of pennsylvania & the territories thereunto belonging.

Sam ^d Carpenter,	Rich ^d Halliwell,	William Clark ⁱ
Edward Shippen,	William Rodeney,	David Lloyd.
John Simcocke,		

The Leuit. Governo^r sent the secrie to the Representatives in Assembly, to acquaint them that hee waited for ym, who returning, told him that they wold attend him forthwith.

The Assembly appearing, The Leivt. Governo^r said: Gentl, I have received a new Commission from the proprietor and Governo^r; I yrfore desire you to attend the publishing yrof by the secrie at y^e market place, & when that is done, I desire the members of Council to return hither.

The sd Commission having been so published, & the sd members returning, The Leivt. Governo^r desired the secrie to record y^e same In the book of minutes of Council. Here it follows:

COMMISSION.	}
WILLIAM PENN	
TO	
WM. MARKHAM, TO BE LEIVT. GOVERNO ^r .	

11th May, 1698.

At a Council Held att philadelphia die Mercury, 11th, May 1698.

PRESENT:

WM. MARKHAM, esq^r, Lievt. Governo^r, &c.

The Sheriff of the County of philadelphia His Return of Representatives for Council was produced, qrbv it appeared y^t ther wer elected Samⁿ Carpenter & Edw^d Shippen, who appeared.

The Sheriff of the County of Bucks his Return of Representatives for Council was produced, qrbv it appeared y^t ther wer elected Joseph Growdon & Wm. Biles, who appeared.

The Sheriff of the County of Chester His return of Representatives for Council was produced, qrbv it appeared y^t ther wer elected David Lloyd & Jn^o Simcocke, Who appeared.

The Sheriff of the Countie of Newcastle his Return of representatives for Council was produced, qrbv it appeared y^t ther wer elected Rich^d Halliwell & Jn^o Donaldson. The first appeared, the Last absent.

The Sheriff of the Countie of kent his Return of representatives for Council was produced, qrbv it appeared y^t y^t wer elected Jn^o Curtis, since deced, & Wm. Rodeney, who appeared.

The Sheriff of the Countie of Sussex His Return of Representatives for Council was pduced, qrbv it appeared y^t ther wer elected, Wm. Clark & Jn^o Hill. The Last absent.

The sd Samⁿ Carpenter, Edw^d Shippen, Joseph Growdon, Wm. Biles, David Lloyd, Jn^o Simcocke & Wm. Clark, did Subscribe the declaraon of fidelitie, the profession of the Christian faith & the Test, & took their places at the board.

The said Richard Halliwell & Wm. Rodeney took the oathes appointed by act of parliam^t to be taken in stead of the oathes of allegiance & Supremacie, & Subt y^e test, and took y^r places at y^e board.

AND THEN WER PRESENT :

WILLIAM MARKHAM, Esq^r. Leivt. Governo^r.

Sam ⁿ Carpenter,	Wm. Biles,	Rich ^d Halliwell,
Edw ^d Shippen,	David Lloyd,	Wm. Rodeney,
Joseph Growdon,	Jn ^o Simcocke,	Wm. Clark.

The Sheriff of the Countie of philadelphia his return of representatives for Assembly was produced, whereby it appeared that there wer elected, Anthony Morris, James ffox, Samⁿ Richardson and Andrew Bankson, Who appeared.

The Sheriff of the Countie of Bucks His Return of representatives for Assembly was produced, qrbv it appeared that there wer elected, phineas pemberton, Robt. Heaton, Joseph kerbride, & Henry Baker, sick. The first three appeared.

The Sheriff of the Countie of Chester His Return of representatives for Assembly was produced, qrbv it appeared that there wer elected, Caleb pussey, Samⁿ Louis, Nathaniel Newline and Robert Carter, Who appeared.

The Sheriff of the Countie of Newcastle His Return of Representatives for Assemblie was pduced, qrbv it appeared that there wer elected Adam pieterson, Edw^d Gibbs, John Grubb and Joseph England. The Last absent.

The Sheriff of the Countie of kent His Return of Representatives for Assembly was pduced, qrbv it appeared that there wer elected, Richard Wilson, Wm. Morton, both absent; Robert Edmunds & Henry Molleston, who appeared.

The Sheriff of the Countie of Sussex His Return of Representatives for assembly was produced, q^d by it appeared that there wer elected Thomas Oldman, Jonathan Bayley, Cornelius Wiltbank and Luke Watson, Junior; The Last sick. The rest appeared.

Anthony Morris, James ffox, Sam^l Richardson, phineas pember-ton, Robert Heaton, Joseph kirkbride, Caleb pussey, Sam^l Louis, Nathaniel Newline, Robert Carter, Edward Gibbs & Jn^o Grubb, did subscribe the declaraon of fidelitie, profession of the Christian faith and the test.

Andrew Banckson, Adam pieteron, Robert Edmunds, Henry Molleston, Tho. Oldman, Jonathan Bayley & Cornelius Wiltbanck, took the oaths appointed by act of parliament to be taken instead of the oathes of allegiance and Supremacie, and Subt the Test.

All which members of Assemblie that were Returned and appeared, being thus qualified as above, The Leivt. Go^r said: I desire you to go together & choose yo^r Speaker. The assemblie departed. After some time Edward Gibbs & Tho. Oldman acquainted the Lt. Go^r & Council, that the members of Assemblie wer readie to wait upon him. The Lt. Governo^r Returned y^t hee & Council wer ready to receive ym.

Then phineas pember-ton, accompanied by all the representatives of Assembly, acquainted y^e Leivt. Governo^r, that they had made Choice of him for y^r Speaker; Who having desired to be excused, & y^t y^e Lt. Go^r wold order another choice, The Lt. Go^r replied that hee was well satisfied with their Choice.

Then the Lt. Governo^r addressing Himself to all the representatives in Council & Assemblie, said: "Gentl, & you M^r Speaker, Ever
"since I received instructions from yr excellies The Lords Comrs of
"the Governmt, Sub^d by y^e Comrs of His majes Customs, wch was on
"y^e 17th March Last, & Lyes upon the table for yo^r pusal, I Have
"thought the time Long to the day of yo^r meeting, that I might advise
"wt you about an effectual way to answer every article or Comand
"thereof. Our navigable Creeks where smal vessels may Load are
"many, & not so well known in England as they are to us here,
"yrfor wee cannot expect yr excellies instructions should be so
"exactlie framed, nor any Law in England so made, but there may
"be some difficulty here to put in execuon every part or Article; But
"this wee know, That it is o^r duty to take care they be punctually
"observed & kept. Therefore, I desire you will diligently peruse
"the Laws of trade & navigaon, with the instructions, and where you
"find anie article difficult to execute, you will make such Laws as
"may make them more easy, & enable the Governo^r & his majes
"Collectors to pform y^r duties with all the securitie possible may be.
"I have desired the Collectors to Consider what Laws they think
"necessary for his maties Service & interest, & advise mee yrof.
"I have promised ym free access & freedom of Speech both to &
"in the Council & Assembly, and I expect you will perform it, &
"also to any of yo^r Comittees. This is the first thing I Have to

“propose, & desire it may be dispatched before wee enter upon any thing else.”

The Lt. Go^r delivered his sd speech to the assembly, & appointed Edw^d Shippen, Joseph Growden, Wm. Clark, Rich^d Halliwell & David Lloyd, a Committee to Join a Committee of assemblie to Consider of y^e sd speech, & to propose such a Bill to be past into a Law as they should think Convenient, and to make report to the Governo^r & Council.

Adjourned to the 19th instant.

[19th May, 1698.

At a Council Held at philadelphia die Jovis, 19th May, 1698.

PRESENT :

WM. MARKHAM, esq^r. Leivt. Governo^r, et ysdem ut antea.

Joseph Growdon, Chairman of the Committee of Council & Assemblie, appointed to Consider of the Lt. Governo^r speech, made report to the Leivt. Go^r & Council, that they had with all diligence perused & Considered y^e same, & had drawn up a bill for the further Consideraon of the Leivt. Go^r, Council & Assembly, to be past Into a Law, for preventing frauds, &c. which was distinctlie read & debated, article by article.

Ordered y^t Da^d Lloyd & Wm. Rodney, Carry y^e sd bill to the house of representatives for y^r approbaon; wch they did.

John Hill, returned by the Sheriff of Sussex County to serve in Council, & Luke Watson, Jr. to serve in Assembly, took y^e oathes appointed by act of parliamt to be taken instead of the oaths of allegiance & Suprémacie, and subt the test.

[DAVID EVANS.

Upon Reading the petion of David Evans, setting forth that hee was Close prisoner in the comon goal of y^e Countie of philadelphia, upon Suspition of Having been a pirate belonging to Avery's Crew, & y^t hee had his triall at y^e old Bayley in England, before the Lord Chief Justice Holt, & was cleared by proclamaon, but remanded to Newgate for his fees, & was relieved thence by Jn^o Lowrie, who had been by the petitioner subpcœnaed as a wittnes for him on his triall, & was psent at y^e same, & at his discharge, which the petitioner was readie to make appear, by the testimony of y^e sd Jn^o Lowrie, & other Lett^r from Credible psons, & yrfor requesting to be discharged from his confinement. John Lowrie appearing before y^e Lt. Go^r & Council, did Swear on the Holy Evangells of Almighty God, that in July Last hee was at the trial of the said David Evans, at the old Bayley, before the Lord Chief Justice Holt, & heard him cleared by proclamaon; and afterwards saw him in Newgate, paid him fees for him, & tooke him into the said deponent's Lodging; Also

a Lett^r from one Capt. Humphrey pellew, M^r of a vessel, directed to the Lt. Governo^r, dated 14th May instant, was produced, wherein hee says: I am a perfect Testator, by report of david Evans acquittance, but M^r Lowrie who was at his trial at y^e old Bayley, London, in July Last, Can more fullie satisfy yo^r Hono^r. The said David Evans also sent to the Lt. Go^r & Council a Lett^r from one James Lewis to his children here, dated the 8th of 7br, 1697, wherein hee writts that his Cosen, David Evans, having mett with trouble about the psian ship, is now cleared & discharged by Law, for the king's evidence from first to Last, affirmed y^e he was prest & forct away by Capt. Avery; That there were about fifty gentl, as they call them, from Carmarden & pembrokeshire at his triall, & tho^t some did, yet there was no need for any of ym to appear in his behalf. Hee was at a great charge to bring several M^r of Shippes to vindicate the truth of things as to him, but the Judges saw there was no need for any of ym to appear in his behalf, nor to examine ym, & so released Him in open Court, To the great joy & Content of Judge Wogen, Esq^r. Sommerford, & the rest of his Countrymen.

Samⁿ Harrison, mariner, (a man of good Credit here,) also made oath on the Holy Evangells of Almighty God, y^e in England hee saw the sd David Evans in Custodie, & saw him Carryed prisoner to London, & knows no more of him but what hee, this deponent, had from y^e sd David Evans' own mouth.

Robert Snead being sent for before the Lt. Go^r & Council, by whois means the said David Evans was by the Lt. Go^r Comitted, was desired to exhibit Informaon ag^t him, the said David Evans, which hee did, and which remain on y^e file in the Secries office.

Resolved, that if the sd David Evans cannot bring good & sufficient securitie to the Lt. Go^r & Council, to be bound body for body for him, that hee shall not depart the province untill hee produce from England authentick Certificates of his trial & discharge, y^e then hee shall remain as hee is, close prisoner, untill he be discharged by due Course of Law.

The Lt. Go^r ordered y^e Secry to Issue a Sumons for y^e sd R^t Snead to appear befor y^e Go^r & Council post m.

POST MERID.

Att a Council Held att philadelphia die Jovis, 19th May, 1698, Post merid.

WM. MARKHAM, esq^r. Lt. Go^r, et ysdem ut antea, except R^t Halliwell.

The sd Robt. Snead appearing, The Lt. Go^r acquainted him y^e hee had avice from England that y^e sd Robt. Snead had wrote to England. pticularlie to Sir I. Hoblon & Coll. Robt. Quarry, Informing ym That tho^t y^e Governo^r knew of & had y^e proclamaon to seize pirats, yet that hee refused to seize several of y^e pirats of Avery's

crew, & bailed ym after Seizure, & denied & refused guards to watch them, the goal being insufficient. All which hee, y^e sd Robt. Snead, positively denied, & said that hee sent to y^e proprietor a Copie of what hee wrote. Hee owned that hee had writt They wer bailed, but not by y^e Go^r, & that hee Complained home of abuses he had received here. The Lt. Go^r told him that it had been his duty, first to have Complained here for redress of the sd abuses, & when y^e was denied him here, It was then time enough to have Complained home. Then the Lt. Go^r & Council demanded a sight of the Copies of y^e sd Lres, that they might make ans^r y^rto, if hee had charged ym with any thing. Hee replied they wer at Newyork, but expected ym by y^e post, & yn he wold pduce ym.

Then the Lt. Governo^r said, that there were other Informaons sent home, viz: that many 100^d hhds of Tobacco are Constantlie Shipt from pennsylvania directly for Scotland, & particular men named, & no security taken but beggars, for which bribes taken. That there is an illegal trade from Curasso. That pennsylvania is become y^e greatest refuge & Shelter for pirats & Rogues in America, The Go^r giving ym Comissions. That a ship Came hither directlie from Denmark with Copper, tin, & other European goods, wch were all unloaden, & the Shipp unriggered before shee was seized. That a briganteen from Newyork took in almost all her Loading of tobacco wtout giving bond or securitie; & that the bussines making a great noise, The Go^r ordered the Collector to seize her, which was done, & preparaon made for a trial, but y^e before it Came on, The Go^r ordered her to be discharged, & that some of the owners say It cost ym 100ll to clear their briganteen. All which hee, the said Robt. Snead, denied, & said Hee knew nothing of it.

John Moor, a practitioner in Law at the Courts of this province, being sent by the Lt. Go^r, appeared. The Gor told him y^e he understood y^e Esq^r Randolph had named Him to act as attornie General in behalf of his maty, & told him that hee sent for Him to qualife him to act accordingly in that station, & to put in Suit some plantaon bonds & other actions y^e Esq^r Randolph intended to prosecute. The said Jn^o Moor refused, becaus Esq^r Randolph had required him to prosecute persons to Judgm^t & execuon in Cases where hee, the said Jn^o Moor, Conceived y^e hee, y^e sd Esq^r Randolph, himself was not Impowered to discharge, or words to that effect.

Adjourned to 20th instant.

20th May, 1698.

Att a Council Held att philadelphia die Veneris, 20th May, 1698.

PRESENT:

WM. MARKHAM, esq^r Lt. Go^r, et ysdem ut antea, & Jn^o Hill, Rich Halliwell, absent.

The Lt. Go^r appointed Edw^d Shippen, Wm. Biles, Da^d Lloyd & Jn^o

Hill, a Committee of Council to join a Committee of Assembly to examin, adjust & bring in an accot of the debts of the governm^t, & to report.

Adjourned to 23^d instant.

23^d May, 1698.

At a Council Held att philadelphia Die Lunæ, 23^d May, 1698.

PRESENT:

WM. MARKHAM, esq^r. Lt. Go^r, et ysdem except Joseph Growdon.

Edw^d Shippen, Chairman of y^e Committee of Council & Assembly: appointed to examin, adjust & bring in the debts of the governm^t, made Report to the Lt. Governo^r & Council, that they found the province to stand indebted to sundry persons in y^e sum of _____

Anthony Morris & Cornelius Wiltbank, brought from the Assembly to the Lt. Go^r & Council, a Bill for Confirming the Laws of this government, which was read & debated.

Adjourned to 24th instant.

[24th May.

At a Council Held att philad. die Martis, 24th May, 1698.

PRESENT:

WM. MARKHAM, esq^r. Lient. Governo^r, et ysdem ut antea, with Joseph Growdon, Rich^d Halliwell, absent.

Sam^l Richardson & Henry Molleston brought from the house of Representatives to the Lt. Go^r, a bill for Continuing of an act entitled, The Law for the speedy Collecting the arrears of the assessmt Laid anno 1696, which was read & debated.

Anthony Morris & Tho. Oldman brought from the house of Representatives to the Lt. Go^r, a Bill Supplemental to y^e Law ag^t Robbing & stealing; as also, y^e bill for regulating frauds: Both wch wer read & debated.

Adjourned to 26th instant.

[26th May, 1698.

Att a Council Held att philad. die Jovis, 26th May, 1698.

PRESENT:

WM. MARKHAM, esq^r. Lt. Go^r, et ysdem ut antea, & R^d Halliwell.

Jn^o Donaldson, Returned by y^e sheriff of y^e Countie of Newcastle as representative in Council, took the usual oaths & test, &c. Caleb pussey & Jn^o Grubb, from the house of representatives, brought to y^e Lt. Go^r & Council a Bill to encourage bringing in of money to promote trade & ease paym^t; as also, a Bill for regulating the streetts & water Courses in the cities & towns of this governm^t; both which wer read and debated.

Adjourned to 27th instant.

[27th May, 1698.

Att a Council Held att philad. Die Veneris, 27th May, 1698.

PRESENT:

WM. MARKHAM, esq^r. Leivt. Go^r.

Samⁿ Carpenter,

David Lloyd,

Wm Rodeney,

Edw^d Shippen,

Jn^o Simcocke,

Wm. Clark,

Joseph Growdon,

Rich^d Halliwell,

Jn^o Hill,

Wm Biles,

Jn^o Donaldson,

John Bewley, Esq^r., Collector.

The Lt. Go^r delivered to y^e Secry certain Letters patent, und^r the great Seal of England, wch y^e sd secrie read, & by reason that a Quorum of y^e Comrs yrin named Could not be gott together at y^e time to Swear y^e Lt. Go^r by virtue of y^e sd Lres pat., dated y^e 30th of April, in y^e 9th year of y^e reign of Wm. the 3^d, &c. Wm. Markham, Lt. Go^r of y^e sd province, (by virtue of a Late Comission granted to him by y^e Right Honble Wm. Penn, absolute proprietor & Governo^r of y^e sd province of pennsylvania & the territories yrtto belonging,) made oath upon the holy Evangells of Almighty God, to do his utmost that all the matters and things Contained in the revixe acts of trade & navigaon in y^e sd lres patt & oath annexed Contained, shall be punctually & bona fide observed as yrin is directed. In a full Council held y^e sd day, Jn^o Bewley, Collector, psent, Whereof an Indorsment is made on the sd Lres pat, & Signed by sd Jn^o Bewley, Collector, Rich^d Halliwell, Jn^o Hill, Wm. Rodeny & Jn^o Donaldson, all four of the Council.

The Assembly having repented to the Lt. Go^r & Council as a grievance, That the ordinarie had required exers of Testator's estates to give securitie att y^e office; After a full & free debate yrof in Council, It was y^e unanimous opinion & Resolve of y^e Lt. Go^r & Council, that exers give securitie to the office for the due administraon of the Testator's estate, as admsr do for Intestate's estates.

Adjourned to 29th instant.

[28 May, 1698.

Att a Council Held att philad. die Sabbati, 28th May, 1698.

PRESENT :

WM. MARKHAM, esq^r. Lt. Go^r, et ysdem ut supra.

The Lt. Go^r Resolved y^e whole Council Into Committee, to Join a Committee of y^e whole Assembly, to prepare an address from ym as y^e people's representatives to his matie, & to make report, &c.

Adjourned to 30th instant.

[30 May, 1698.

Att a Council Held att philad. 30th May, 1698, die Lunæ.

PRESENT :

WM. MARKHAM, esq^r. Leivt. Governo^r, et ysdem ut antea, except Jn^o Donaldson & R^d Halliwell.

Joseph Growdon, Chairman of y^e Grand Committee of Council & Assemblie, appointed to prepare an address to his matie, made report that they had prepared y^e same, which being read & debated, it was ordered that the same should be engrossed & signed by the members of Council & assemblie, & that the secrie should make outt two duplicates y^of, & to be by the Lt. Go^r, with the original, sent to England, & that another remain on the file in y^e Secries office.

Then the Governo^r desired Jn^o Hill to acquaint the assembly that hee waited for them. Who returned, That they wold forthwith attend him.

The Assemblie appearing, Mr. Speaker psented to the Lt. Go^r & Council several bills which had past their house. The Lt. Go^r said Hee would Cause ym to be read & Considered.

After reading of all y^e sd bills by y^e secrie, the Lt. Go^r, with advice of the Council, rejected & voted outt some of ym, and the remaining six being three times read, wer by them approved of, viz:

The first entitled, The Law for Confirming the Laws of this go-vernmt.

The Second, An act for preventing of frauds & regulating abuses in trade within this province of pennsylvania and Counties annex't.

The third. The Law for the Continuaon of an act entitled, The Law for the speedy Collecting the arrearages of the assessment Laid in 1696.

The fourth. The Law supplemental to the Laws ag^t Robbing and Stealing.

The fifth. The Law to encourage bringing in of money to promote trade, and make paymts more easie wtin this province & Territories.

The Sixth. The Law for regulating streetts & water Courses in y^e Cities & towns of this governmt.

[PETER CLAUSSON.

Upon Reading the petition of peter Clausson, setting forth, That hee has been under Confinement above a year Last past, upon suspition of piracie & as being one of Avery's Crew, & not brought to trial, and yrfor requesting that seeing no accusaon Comes against him, hee may have Licence to depart this governmt'.

The petition' on his examinaon, Having confest that hee had been in Avery's ship, but said he was forc't on board, therefor y^e Lt. Go^r & Council thought fit to reject his petion; But a motion was made that the Lt. Governo^r might write to fir. Nicholson, Go^r of Maryland, to order a Court of Admiralty to try this petition' & David Evans.

Adjourned to 31st of May, 1698.

[31st May, 1698.

Att a Council Held att philad. die Martis, 31st May, 1698.

PRESENT:

WM. MARKHAM, esq^r., Lt. Governo^r.

Sam ^l Carpenter,	William Biles,	William Rodeney,
Edw ^d Shippen,	David Lloyd,	William Clark,
Joseph Growdon,	Jn ^o Simcocke,	John Hill.

The Lt. Go^r desired Jn^o Hill & Wm. Rodeney to acquaint y^e assemblie that hee waited for ym, Who returned y^t they wold forthwith attend him. M^r Speaker & the whole house of representives appearing, the Go^r desired y^e Secrie to read over all y^e six bills, which hee did, & yn underwrote each bill in these words, viz: Philadelphia, y^e 31st May, 1698. This Bill being three times read, was assented to by the Lt. Go^r & Council, & yn y^e Lt. Go^r past ym all one after another, by signing y^e same & affixing thereto the Seal of the province.

The Lt. Go^r having read a Lett^r from his grace the duke of Shrewsburrie, Concerning pirats & Sea Rovers, issued forth a proclamaon ag^t ym, a Copie qrof remains on y^e file of y^e minuts of this

In ans^r to y^e assemblie's paper of grievances; To y^e first that security was required from exers, the Lt. Go^r told ym y^t it was y^e opinion & Unanimous resolve of y^e Council, that exers do & shall give security to the ordinary.

To the 2cond, that the office of p'bates of wills, & granting of Lres of administraon, was at philadelphia only, Hee told ym y^t y^e sd office should be settled in each Countie rexively.

To y^e 3^d, that the Center fair was a nuisance, hee told ym y^t he wold Leave y^t to the care of y^e Justices of y^e peace.

To y^e 4th, yⁱ Jn^o Claypoole was reputed & convicted of ill-fame, & y^rfore unfit to be sheriff, Hee told ym Hee should have a fair Hearing. As to issuing writts for choosing representatives for y^e Assembly in y^e room of those yⁱ had absented ymselves, Hee told ym yⁱ when there was occasion hee should issue such writts to Choose others.

Then y^e Go^r said: gentl, If you have anie thing else to offerr at this time for the consideraon of y^e Council & Assembly, I'm ready to hear you; If not, to dismiss you: they ansred no.

Then y^e Lt. Go^r said: gentl, I dissolve you, & you are hereby dissolved. M^r Speaker thank't y^e Governo^r and departed.

Then y^e Leivt. Governo^r ordered y^e members of Council to attend the publicaon of y^e laws, & of a proclamaon ag^t pirats, to-morrow att ten in y^e morning, being 1st June, 1698.

The Go^r adjourned y^e Council to y^e 1st 7br. next.

[15th May, 1699.

Att a Council Held att philadelphia die Lunæ, 15th May, 1699.

PRESENT:

WILLIAM MARKHAM, Esq^r., Lieut. Governo^r.

Sam ^l Carpenter,	David Lloyd,	Rich ^d Willson,
Edw ^d Shippen,	Caleb pussey,	Wm. Clarke,
Wm. Biles,	Wm. Rodeney,	John Hill.

Upon reading the petion of the Inhabitants of kent County, setting forth that qras there is a certain peel of land in y^e sd County, of 200 acres, on the south side of dover river, neer the bridge in the king's road, qron the Court house now stands, wch y^e sd Inhabitants Latelie pchased from Wm. Southbee, for the publick use of the sd County; & qras y^e said Land being convenientlie accomodated in all respects for y^e good & benefit yrof, and it being highlie necessary that a township, with all other priviledges & benefitts, be erected & established for the good of the said County, with fairs att Convenient times, &c., and the sd Land being convenientlie situated for y^e purpose; And yrfor Requesting yⁱ y^e sd Land may be from hence forth erected into a township, & called by the name of Canterbury, & that they have a fair yrin twice a year, and that the same may be Laid outt into Lotts, a Coman & market place, as the County Court & grand Jury shall order and appoint, with streets and publick Landings, & yⁱ the freeholders of the said Countie may have their Lotts yrin proportionable to what they have paid towards it, & that whatsoever else may be necessary & Convenient for y^e good & benefit

yrof, may be left to the Court & grand Jurie from time to time, as y^e same shall be needfull to be done.

Upon reading the within petition, the Leicut. Governo^r and Council granted the same as is desired, & that after y^e 20th of June next, the within town shall be called Dover.

[ELIZ. CRUCKSHANK's petition.

Upon Reading the petition of Eliz. (Late Cruikshank, now) Hall. exrix. of y^e Last will & testamt of Alex^r Cruikshank, deced, setting forth y^e gras the per's sd husband, deced, by his last will & testamt, did bequeath to his daughter Hesther, a negro girle Hannah, & the rest of his real & psonal estate to yo^r pe^r., to be managed by her till her children, in number five, should come to the age of 21, & yn to be equallie divided among ym, & yo^r per. to have her thirds att her disposal, & did make her exrix yrof, as by said will appears; and gras, his real estate being a plantaon att passyunk, was apprized att 170£, & his psonal att 480lb. 17^s. 10^d, in all 550£ 17^s 10^d, as p. Inventarie appears, and y^e shee hath lost by death of negroes & cattle, & paid & disbursed towards paying of debts & educaon, & maintainance of her children, 308lb. 9d, (as p. her accots exhibited to & proved before y^e Go^r, in presence of Tho. & Eliz, two of her children, now of age, appears,) who pronounced for the validitie of her accots, & ordered yo^r per. to make distribution to ym of yr proportions of the remander of y^e sd clear estate, after shee had deducted her third p^t yrof, according to the sd will: And by which accots there appears to be due from your per. to y^e sd estate, to ball 242^l 17^s 1^d, qrof yo^r per. is to have one third, is 80^l 19^s, as p. will, & y^e sd five children are to have the remainder, wch is 161^l 18^s equallie among ym, as they come to age, wch is 32^l 7^s 7^d to each one of them, if y^e sd plantaon sell for what it's apprized att. And gras, by y^e Law of this province about Testats & Intestats estates, It is provided y^e after all debts are pd the surplusage or residue (if anie be) of the testator's psonal estate, shall be by the exers divided according to y^e Last wills, y^e widows having a third of y^e psonal estates. And qrby its also provided, y^e where y^e sd testators or intestators psonal estates are sufficient to pay all y^e debts, y^e their real estates shall be invested & remain as their Last will & testamts devise y^e same, the widow having a 3^d p^t yrof.

And gras, y^e sd psonal estate is not sufficient both to pay y^e said Thomas nor Hesther yr proporons of y^e sd clear estate, nor to pay her, the sd Eliz. her thirds yrof, no^r to bring up, educate & maintain the other 3 youngr children, nor to keep in repair, uphold & save from ruine & destruction y^e sd plantaon, nor to improve it to all y^e advantages, & that y^e sd Thomas is neither willing nor able to pchass y^e sd plantaon, outt of which to pay himself, the other children & yo^r per's. thirds; but is most willing y^e same should be sold for y^e purposes aforesaid, wch cannot be done wtout the order of this board; And yrfor, Requesting y^e Go^r & Council to permitt & allow her, y^e per, to sell & dispose of y^e sd plantaon, towards the defraying of y^e sd proportions, & of yo^r pers. thirds, Her owne sup-

port, & the maintainance & education of her other 3 children, & the better Improvement of y^e remainder to y^e advantage.

The Lt. Governo^r & Council appointed Wm. Biles & Caleb pussey to inspect into & examin the pers. accots, & the truth of the allegaons in y^e sd petion menoned, & to make report yrof to this board tomorrow morning.

[DAVID LLOYD's petion.

Upon reading the petion of David Lloyd to the Lt. Go^r & Council, setting forth that the per. Hath pchased a Smal peel of Land att Chester, Called the Green, wch Lyes verie Comodious for building a town. It fronts both to Chester creek & delaware river, & is protracted, & a market place Laid outt, with streets, by y^e Surveyo^r General, as by the mapp to the said petion annex't appears; And yrfore, desiring this board to allow of & Confirm the sd modell, as the Law in that case directs. As also upon reading a Letter from M^r Jasper Yeates, Directed to the Secry in May, 1699, wherein hee says: Sir—I inclosed send you a petion wch, I desire you to prefer to y^e Go^r & Council, in case M^r Lloyd putts anie thing in, or moves to strengthen his title to the green. It appears to be Church Land, becaus it's from ym hee derived his pretended Title; if M^r Lloyd moves not, there will be no occasion to putt foreward the petion. And upon reading the said Jasper Yeates' petion to the Governo^r & Council, setting forth that hee is informed there is a design on foot by M^r Lloyd, to obtain an act of Assembly to strengthen a pretended title of his to the green Lying before Upland; that the sd Green is realie Church Land, & appropriated by a donation to y^e use for ever, And yrfor praying there may be no procedure yron till notice be given to y^e psons Concerned, & due time allowed, y^e they may Lay before yor Honors what they have to alledge in behalf of the Church.

Upon debate on both the sd petions, The petion of y^e said David Lloyd is granted, saving to the proprietor & Go^r, & to all other persons, their rights.

Adjourned to y^e 16th instant.

16th May, 1699.

Att a Council Held att philadelphia Die Martis, 16th May, 1699.

WILLIAM MARKHAM, esq^r. Leivt. Governo^r, et ysdem ut antea, &c.

Wm. Biles & Caleb pussey, to whom the examinaon of the petion & accot of Eliz. Cruikshank was Comitted, made report, that they had viewed & examined the same, & her stated accots with the vouchers yrof, & found y^e shee hath Lost much by the death of negroes & cattle, & been at great charge in maintaining & bringing

up her children, & has paid considerable debts; and that there is yrfor a necessitie to sell y^e plantation yrin menoned.

Resolved & Ordered, that the sd Eliz (Late Cruikshank, now) Hall & her husband, Richard Hall, with the consent of Thomas Cruikshank, her eldest son, be allowed & permitted, & is hereby, by y^e Go^r & Council, allowed, permitted, authorized & impowred, to make sale & conveyance to anie psons whatsoever, of the within plantaon att pasyunk, with its houses & all its apptenances, Containing — acres of Land, & — acres of Marsh, & to ym, y^e heirs & assigns forever, towards the defraying the proporons in the sd petition menoned, & of the pers. thirds, her own support, & the maintainance & educaon of her other 3 children, & the better improvment of the Remainder, to their advantage, according to y^e Laws & customs of y^e sd province. To hold to y^e sd purchasers & y^e heirs & assigns, in fee simple & estate of inheritance forever, &c.

Upon reading the petition of some of the Inhabitants of Chichester, in the Countie of Chester, Requesting a weeklie markt & two fairs in the year; After a full debate yrupon, The Leivt. Go^r & Council granted ym a weeklie market on friday's, to be kept in broad street as is desired.

17th May, 1699.

Att a Council Held att philadelphia die Jovis, 17th May, 1699.

PRESENT:

WILLIAM MARKHAM, Esq^r. Leivt. Governo^r, et ysdem ut antea.

The Lt. Go^r acquainted the Council that the proprietor & many others in England, wer dissatisfied about the monies being advanced in this province above the rate putt on it by the neighbouring Colonies, & y^e the raising of it might be prejudicial to the proprietor's Interest in the Quitt rents.

It was y^e Unanimous Opinion of y^e Council, y^t the advancing the monie was but a prudential act to keep mony in y^e province, & that it was never intended to be prejudicial to y^e proprietor's quit rents, nor should it be.

[PETITION about y^e streetts.

Upon reading the petition of several of the Inhabitants of the town of Philadelphia, setting forth the neglect of Levelling the streets, & ordering the Currents yrof, & the annoyance of the inhabitants by obstruction of the said Currents, and yrfor requesting y^e Go^r & Council to appoint psons to remedie y^e same, according to Law. Ordered that Edward Shippen, Joshua Carpenter, John Jones, Charles Read, Jn^r parsons, Wm. Southbee, & Robt. Turner, or anie foure of them, do with all expedition psue y^e Law made in the year 1698, entituled The Law for regulating streetts & water-courses in the cities & towns

of this governmt; & that they begin with the High-streett Currents in y^e front yrof & Highstreet wharff, The Currents between Robert Yeldall's & the widow Borden's, & the Currents & wharff by Humphrey & John Morrey's, & Wm. Hearr.

[29th June, 1699.

Att a Council Held att philadelphia Die Lunæ, the 29th day of June, 1699.

PRESENT:

WM. MARKHAM, Esq^r. Leivt. Governo^r.

Sam^r Carpenter, William Biles, Caleb pussey,
Edward Shippen, David Loyd,

Upon reading the petition which Robert Brandingham & William Stanton (prisoners in the Countie goal of philadelphia, upon suspition of piracy) did exhibit to the Governo^r & Council for a speedie trial; & Jn^o Tudor of Newyork being heard in their behalf, & the mater debated, and this board being informed that the Lord Bellamont, Go^r of new york, has a proclamaon from his matie for pardoning such pirats as shall surrender ymselves within a Certain time yrin mentioned, (with an exception of Avery and kidd,) It was resolved that care be taken to obtain the Certaintie of the Contents of y^e sd proclamaon, if anie such be, and that then further answer be given to the sd petition.

30th July, 1699.

Att a Council Held att philadelphia die Lunæ, y^e 30th day of July, 1699.

PRESENT:

WILLIAM MARKHAM, esq^r. Leivt. Governo^r.

Sam^r Carpenter, David Loyd, Caleb pussey,
Edward Shippen,

Upon reading a Letter from Richard Halliwell, one of the Justices of the peace of y^e Countie of Newcastle, directed to the Leivt. Governo^r, in these words, viz: Honoured Go^r, Sir, This Comes to acquaint yo^r Honour that this day was several evidences taken before me relating to several words & passages that happened upon y^e water yesterday, betwixt M^r Birch, Collector, & Several other persons in another boat, bound up the river. M^r James Meinzie, being one that was accused for words & act, being this day in Newcastle,

was bound in y^e sum of five hundred pounds, with securitie, for his appearance before yo^r Hon^r before the first day of Aug^t next, to ans^r to such matters as shall be objected ag^t him. I have given M^r Meinzie a copie of the whole accusation, & Coll. Quarrie another, keeping the original my selfe, Leaving the prosecution of the matter to yo^r Honor's discretion. I confess its a thing not practicable; but wee having no king's attornie, the Last provincial Court to prosecute what was there cognizable, Could see no way more Safe & expeditious than to referr y^e matter to yo^r Hon^r. Sir, if you think reasonable to have the original affidavits, they shall be sent, when yo^r Hon^r Comands them from your most Humble Servant.

RICHARD HALLIWELL, Newcastle,

July y^e 27th, 1699.

Upon reading the petition of James Meinzie of Boston, to y^e Lt. Govern^r & Council, Setting forth that hee being imployed by M^r John Boreland & Jn^o Maxwell of Boston, merts, to receive several debts due to ym in these parts of America, & according to their Letter of attornie, hee received in west Jersie about 300£ due to ym, Which Sum yo^r petitioner Carrying along with him in a boat, from the Lower parts of West Jersie to philadelphia, where hee was to dispose of y^e same for his Constituents, according to their order, One M^r Birch of Newcastle, with 3 or 4 men more, Came out in a boat from Newcastle upon y^e 26th of July instant, & came up with the boat in which yo^r petitioner & several others were, and demanded from whence they Came; to whom it was answered from below; & Birch asking what Loading was in y^e boat, Hee was told there was none but Cloathes; and hee desiring to know what was in the Chest that was in the boat, the same being opened, hee saw the monie, which yo^r petitioner told belonged to M^r Jn^o Boreland, & tooke up one of the baggs marked with I. B. and the sd Birch desiring ym to go with him to the key att Newcastle, which they could not do, both wind & tide being ag^t ym; The petitioner told him hee was bound to philadelphia, & if hee pleased to Come on board hee might see what was there; and yo^r per. being a stranger, & seeing neither the king's Jack on board wt sd Birch, nor anie power nor Commission hee had for stopping y^e boat yo^r per. was in, Wee turned our boat & came towards philadelphia; and the day after yo^r petitioner being att Newcastle about his Lawll bussines, Upon informaon by said Birch to Justice Halliwell, ther wer several affadavits taken, & yo^r per. obliged to enter into recognizance for appearing befor the Honord Lt. Go^r before y^e first of Aug^t next; and ther being as yet no Crime Laid to y^e petitioner's charge, nor anie pson appearing to accuse him, & a great part of the affadavits being false, as yo^r per. can make appear by the testimonies of psons of undoubted fame, who wer in y^e boat with him, and yrfor requesting y^e Go^r & Council, upon due Consideraon of y^e premisses, to dismiss y^e per. & discharge his bail, and yor per. shall pray, &c.

Upon full debate on both, It was resolved that (in respect the said Justice Halliwell had not certified y^e Complaint to y^e Go^r & Council) the sd James Meinzie should be bound with sureties, to appear before

y^e Go^r & Council y^e Sth ensuing, to ans^r y^e same, and y^e a warrant be issued from y^e Lt. Go^r, under his hand & seal of y^e province, requiring y^e sd Justice Halliwell, & M^r Mathew Birch, Collector of Newcastle, to appear before him & Council y^e sd day, bringing wt ym y^e original affidavits taken ag^t y^e sd Ja. Meinzie & the other psons yrin named, with all other papers, psons & witnesses relating to y^e sd matter.

Adjourned to y^e 8th of August next.

Att a Council Held att philadelphia, die Martis, 8th of August, 1699.

WM. MARKHAM, esq^r, Lieut. Governo^r.

Sam ^l Carpenter,	Wm. Biles,	David Lloyd,
Edw ^d Shippen,	phineas pamberton,	Caleb pussey,

Henry Mallows, mess^r of y^e Council, to whom y^e abov sd warr^t was directed, did return y^e same to the Lieut. Governo^r & Council, duly executed. The sd Rich^d Halliwell & Mathew Birch (with Coll. Quarry, who told y^e Lt. Go^r & Council y^e he was Comanded by y^e sd Birch, Collector, to appear wt him att this board on his maties behalfe) appeared, and sd Justice Halliwell delivered to y^e board y^e original affidavits of Jacob Boditt, James Hunt, & Harman peterson, taken before him, ag^t Ja. Meinzes, Ja. Howe, Ja. m^r Colme, Edward Robinson, Jn^r Hues & Tho. Rogers, two boatmen, & one ———, Boatswaine, of y^e ship ———, Which having been read, The Lt. Go^r told M^r Birch, Collector, y^e if hee had been abused in the execuon of his office by all or any of y^e sd psons, the acts of navigaon did prescribe how, where & when, & by whom they should be tried, & y^e it was not cognizable before th^s board. But since it was brought hither by mistake of y^e Justice in his duty, hee should have Libertie to prosecute y^e sd psons att anie Court in this governm^t, & yet hee was readie to bind over so manie of ym as was in his governm^t to answer y^e same.

To which y^e sd M^r Birch, Collector, replied that hee thought it not reasonable y^e hee should prosecute ym att his owne charge. The Lieut. Go^r advised him to Consider of it, & told him hee wold send y^e attornie general to assist him. The sd Birch went forth with Coll. Quarry to advise, who returning, desired that all these might be bound over wch are Contained in y^e affidavitt, att y^e next Court of quarter sessions to be held att Newcastle, which was granted.

Accordingly, y^e sd James Meinzes recognized himselfe in 300£, and Charles Sanders, his securitie, in 200£, to his matie, that the sd James Meinzie should appear att y^e sd Court y^e sd day, & there ans^r y^e Complaint of y^e sd Collector, & not depart y^e Court wtout Licence.

Then y^e Lt. Go^r desired y^e mess^r of the Council to Sumons Edward Robinson & James McColme, to appear att this board to-morrow morning.

Coll. Quarry said, y^e hee had Latelie been in Virginia & Maryland,

& there had heard y^t y^e Go^r there intended to secure y^e psons & effects of all psons suspected of piracie, Untill his maties pleasure be further known, & y^t hee had Consulted his Comission of Judge of y^e admiraltie, & found y^t notwithstanding y^e Law past here by advice of the Honoble y^e Lords Comissioners of y^e plantacons, ansrable to y^e Jamaica act, y^t hee had not power yrby of trying piracy, but had writt to Secrie Vernon yrof, & y^e Lords of y^e admiralty. And then he sd that hee himself was a Considerable trader in this province for himself & several others in England, & y^t hee had some vessells now at sea on y^t accot, & y^t tho^t hee expected some dayly, yet was afraid y^t y^e first news hee should hear of ym wold be that they wer taken by pirats, & y^t they had of Late grown so numerous & insolent, that they spared not even his maties Chambers & ports where shippes of warr are numerous, & that they had Comitted several murthers on board his maties shippes of Warr.

To all which the Lt. Go^r replied, that hee had secured all that he could heare of y^t wer suspected of piracie, wt yr effects, & had sent advice yrof to England, & y^t hee wondered y^t Coll. Quarry, by him self or his deputie, Robt. Snead, had apprehended two psons upon suspition of piracy, & had possessed ymselves of y^e effects, & not trusting ym to y^e Justice of this governm^t, (tho^t apprehended in it) nor acquainted y^e governm^t with it, Sent ym outt of it to West Jersie, which act of Coll. Quarrie's, or his deputie's, was by y^e Go^r & Council resolved not in y^e power of ym to do, & a Contempt of this government.

Upon reading the petion of Robt. Brandingham & Wm. Stanton, prisoners in y^e Countie goal of Philadelphia, upon suspition of piracy, setting forth y^t y^e estates wer seized & detained from ym, tho^t nothing had been proved ag^t ym, & yrfor requesting they may be discharged, & yr monies & goods restored to ym, or admitted to a speedie trial, & in y^e meantime to be allowed bail for y^e psons & estates.

The Lt. Go^r & Council being informed y^t notwithstanding y^e pers. wer Comitted Close prisoners, yet they went att Large about y^e town. Jn^o Claypoole, Sheriff, appeared, & y^e Lt Go^r acquainted him y^t great notice was taken & Complaint made y^t Rob^t Brandingham & Wm. Stanton, who had been Comitted prisoners to y^e Countie goal of Philadelphia upon suspition of piracie, had great Libertie, & went about the streetts verie often att Large. To which the sheriff replied, that they never went wtout his Leave, & a keeper, wch hee thought might have been allowed in hott weather.

Whereupon the Lt. Go^r strictlie charged him that those persons y^t had been Comitted for suspition of piracie & other felonious acts, should be kept Close prisoners, & y^t hee be verie watchfull y^t they make not y^t escape, to y^e scandal of y^e governm^t.

[9th August, 1699.

Att a Council Held att philadelphia die Mercury, 9th August, 1699.

WILLIAM MARKHAM, Esq^r. Lieut. Governo^r.

Sam^l Carpenter, phineas pemberton, Caleb pussey.
William Biles, David Lloyd,

According to an ord^r of Council y^e 8th instant, appeared Edward Robinson & John McColme. The Lieut. Governo^r told ym y^t y^r had been affidavits taken ag^t ym & some others, before Justice Halliwell, for abusing M^r Birch, Collector of Newcastle, in the execuon of his office, & y^t it was y^e sd Collector's desire y^t y^e psons in the sd affidavits named should be bound over to ans^r his Complaint att a Court of Quarter sessions to be held att Newcastle y^e 15th instant.

Accordinglie the said Edward Robinson recognized himself in 300£, & Ja. M^cColme, his securitie, in 200£, to his Matie, y^t sd Robinson should appear att sd Court y^e sd day & ans^r y^e sd Complaint, & not depart Court wtout Licence.

As also, y^e sd James M^cColme recognized himself in 300£, & Edw^d Robinson, his securitie, in 200£, to his Matie, y^t y^e sd James M^cColme should appear att sd Court sd day, & ans^r y^e sd Complaint, & not depart y^e Court wtout Leave.

Upon reading the petion of David Evans, setting forth that having been imprisoned in y^e Countie goal of philadelphia about 18 mo's. past, upon suspision of piracie, for which hee had been tried & acquitted in England, as by y^e oathes of several psons had been made appear, Which if not thought sufficient, the petitioner could produce others that were att his trial, y^t could wittness y^e same; And yrfor, desiring this board to Consider his Long confinement and relieve him. Itt was the opinion of the Lt. Go^r & Council, that y^e per. has had time enough since his confinement to procure Certificats from England of his trial & discharge, and y^t in ans^r to his petion, when y^e manner, method & time of y^e trial of him & others, suspected of piracie, shall be concerted & agreed on. Hee should then, with others, have such relief as the Law allows.

Upon reading the Complaint of some of the inhabitants of Newcastle town to y^e Go^r & Council, in these words: Wee, the inhabitants of y^e Countie of Newcastle, humbly psent, y^t whereas, about y^e end of Aug^r, 1698, a Company of pirats To y^e number of about 80, in a ship, Came wtin the Capes of Delaware, went ashoar & plundered y^e town of Lewis, Carying away what they pleased, & had a design to come up to y^e town of Newcastle to do y^e Like, but accidentalie meeting with a ship in y^e bay which brought passingers from Holland, whom they forced to furnish ym wt provisions & other necessaries, otherwise they wold have seized her; And Likewise, since the 20th of June Last past, the briganteen Sweep Stakes, belonging to Col. Webb, Late Go^r of providence, ryding before y^e town of Newcastle, mounted with six guns, ritchly loaden, ready the next day to sail for England, was in the night time, by y^e vessels Compa. of sailors & others, to y^e

number of 13, piratically taken away, soure of which vessells Compa. wold not Consent to y^e said piracie, so wer sett on shore. All which wee are verie sensible of and know, the greatest encouragments to such attempts hath been & is the incapacitie wee are in to prevent the Like, Having neither fort. castle nor breastworke, to Comand anie ship or vessell; no militia, arms, nor ammunition to make use of on anie occasion; And It is also manifest unto us, that the same Unlawfull & piratical practice may be as well putt in practice any time of y^e day, tho' it be 100^l miles up y^e river, as in the dead of the night, here being no provision to prevent y^e same, so y^t both our Lives, Liberties and estates, have hitherto Lyen open, & still do remain defenceless & void of protection, & ever exposed to y^e wills of such mercieless wretches, who are a plague to all honest endeavours & a Continual terror to our peacc & tranquillitie, which wee humbly referr to yor Serious Consideraon, & of right desire y^t such care may be taken y^t o^r Lives and estates may not remain in such Imminent jeopardy and danger, but y^t wee may be defended as his maties Lawfull subjects: sub^t. by 25 psons of y^e sd town.

The above petion having been read and Considered, It is the opinion of this board that whatever encouragm^t pirats may take by o^r not having forts & castles, &c. Wee find y^t bolder attempts than what is in the wthin petition instanced, has been made wthin ports of great fortitude and strength, even in those places (as wee are informed) Called the king's chambers, where shipp's of warr are numerous; and this board does not understand that the forts of Virginia & Marie Land, weh are Colonies of Long standing, and inhabited by psons of great estates, & bring vast revenues to the Crōwn, are much more formidable than the fort of Newcastle hath been, & if it's now delayed, the Inhabitants of y^t place are accountable for it. And if this Countrie wer able to build great Castles & forts of strength, yet if y^e people are not also able & capable (as they are not) to maintain such posts, It is y^e opinion of this board, that it may prove more prejudicial to y^e king's interest, & Hazardous to his subjects here, then if there be no such fortresses. And as for a Militia, it is the opinion of this board that its a more proper subject for the Consideraon of a general Assemblée, where the petitioner's might have taken y^t opportunitie to propose it in May Last, had they & the rest of the Inhabitants of Newcastle Countie, done yr dutie in electing & sending y^t representatives to assist & advise y^e Go^r att y^e said Assembly, in things pertaining to the king's service, & good & saffie of y^e govern^t, which they obstinatle refused.

Upon reading the petion of Sam^l Hadden to y^e Lt. Go^r & Council, setting forth y^t hee was encouraged in England by Sam^l Cart, that if hee Could procure him 17 passengers for pennsylvania, y^t then hee should have his owne passage free, & his wife's & 4 children's for 15£ st. they taking up but two Cabbins & in one mess; Upon which encourgm^t, y^e petitioner having disposed of his effects, brought them, with his familie and 17 passengers, to Bristow, a Journie of 70 miles, & putt his goods on board by sd Cart's order, paid in the 15th, and

that afterwards y^e said Cart wold not suffer y^e pers. wife nor children to go on board unless hee wold first pay 5ll. for his owne passage, and as much for each one of his children; and y^e yrapon y^e per. demanded his goods ashoare again, wch Cart denied him; and y^e y^e per. having but three pence Left, was forced to sell his children, one for nine & the other for tenn years, or else stay in England, when his whole substance was Caried elsewhere; And yrfor Requesting y^e Go^r & Council to Order His Children to be returned him, or else y^e they order him satisfacon some other way. Samⁿ Cart appearing and having heard y^e sd petion read, & after a tedious dispute on y^e matter between the per. and the sd Samⁿ Cart, They both submitted y^e difference to y^e Lt. Go^r & Council (the per. being poor & not able to go to Law.)

Whereupon, it was ordered y^e the sd Samⁿ Cart do return to y^e sd Samⁿ Hadden his son Adam Hadden, & y^e the sd Samⁿ Hadden give securitie to Samⁿ Cart to pay him eight pounds, and y^e y^e said Samⁿ Cart allow to James peters of Bristow, 10li. 10s. in Bristow, in Consideraon of his Laying down 5li. 10s. in Bristoll for y^e sd Adam Hadden's passage, att y^e sd Samⁿ Hadden's request.

[21st Decemb^r, 1699.

Att a Council Held att Philadelphia die Jovis, 21st 10th Mo., Decem-ber, 1699.

PRESENT:

The Honble WM. PENN, Absolute Proprietor & Governo^r in Chief of y^e province of pennsylvania and the territories yrto belonging.

Edw^d Shippen, Caleb pussey,
Samⁿ Carpenter, Wm. Clarke,

Wm. Biles,
David Lloyd,
Pat. Robinson, Secry.

The pro^r & Go^r Having repesented in Council the resentm^t of o^r supiors in England, of the Countenance said to be given here to piracie & illegal trade, as by accot from some of the king's officers in these pts is suggested,

It is Resolved, y^e a proclamaon be forthwith Issued for discour- agm^t yrof, & y^e further expedients be thought on concerning y^e same, & that Coll. Quarry, Judge of the admiraltie, have notice to attend this board att the 3^d houre to-morrow, p. m. to offerr what hee may think fitt in y^e behalf.

Adjourned to y^e 22^d instant, hora 2^a p. m.

[22^d Decemb^r, 1699.

Att a Council Held att philadelphia die Veneris, 22^d Decemb^r, 1699.

WM. PENN, pror & Go^r, et ysdem ut antea.

The mess^r of the Council acquainted ym y^t Anthony Morris, one of the Justices of peace for philad. County, desired admittance, which being granted, said That hee had for some years past served y^e king & Country as such to his great trouble & private detriment, and thendelivering to ym 4 paps. relating to y^e goods of one Robt. Adams of Boston, y^t in June, 1698, had been seized by the king's Collectors here, & by ym, by a warr^t from sd Coll. Quarry, delivered into y^e hands of Robt. Webb, marshall of y^e admiraltie, & wch had been (by a warr^t of replevin signed by him, sd Anthony) replevied and taken outt of the hands of sd Marshall, And yrfor, y^t hee now came befor ym to Lay down, & did lay down, his Comission of Justice; and further said, y^t hee granted & signed y^e sd replevin in psuance (as hee thought) of his duty, believing hee was in the right, & y^t hee was induced yrto by advice of those that hee thought wer well skilled in y^e Law, who told him y^t it was the priviledge of the subject; and further said, y^t hee had no interest in the owner nor goods, nor no self by nor sinister end in so doing.

To whom the pro^r & Go^r made ans^r, That his signing y^e sd replevin was a verie indeliberate, rash & (in his opinion) unwarrantable act, which hee, sd Anthonie, could not justifie, & yet hee wold be so farr from Justifying itt, that tho' hee could not deliver back Into y^e hands of y^e admiraltie y^e sd goods, (they being long since delivered to the supposed ower, on securitie given to the Sheriff,) yet he wold deliver into y^e Judge of y^e admiraltie's hands, & into y^e power of y^r Court, the 2 invries & appraismts of sd goods, & y^e obligaon given by sd Adams & his sureties to y^e Sheriff of philad, for 327ll. 8s. 6d Then sd Anthony was desired to withdraw; which hee did.

Upon notice given yesterday to Coll. Quarrie, hee this day appeared, To whom the pror. & Go^r having opened his, the Council & govermts most sincere intentions, by all Law^l means, to discourage, discountenance & severely punish piracy & Illegal trade, Hee desired y^e sd Coll. to be assistant in proposing such expedients as might be most Conducive yrto, & y^t hee & all others the king's officers & y^e govmts', might go on hand in hand in securing the king's interests in this govm^t. To wch y^e sd Coll. ansred, y^t the matter being weightie it required thought, & y^t after some consideraon, hee wold propose to ym what in his opinion wold be most effectual for these ends.

Then y^e pro^r & Go^r deliverd to sd Coll. Quarry 4 paps. relating to the sd replevin, telling him y^t tho' y^e goods in kind were Long since delivered to y^e ptended owner, & so outt of his power, yet hee delivered to him the Invrie, 2 appraismts, & sd Adams & His sureties obligaon for y^e sd sum, & desired y^e secrie to take Copie of sd 4 paps. wt Coll. Quarrie's receipt for y^e same, to remain on y^e file of minutes of Council.

Upon reading the petition of Robt. Brandingham, prisoner in y^e Countie goal of philad, upon suspicion of piracie, setting forth his Hardship by being confined in these Cold nights to a Low room, wthout fire, & for want of monie to support him; And therfore desiring to be allowed a warmer room, & a Little of his owne monie (hee having a Considerable sum in y^e Late Lt. Go^r Markham's hands) for his subsistence.

Ordered y^t sd Coll. Markham Let y^e per, or his ord^r, have 12s. weeklie to subsist on.

Adjourned to 1st January, 1699-1700.

[PENNSILVANIA, SS. 10th May, 1699.

Att a Council Held att philadelphia die Mercury, 10th May, 1699.

PRESENT:

WILLIAM MARKHAM, Esq^r, Lieut. Governo^r.

The Sheriff of the Countie of philadelphia his Return of representatives for Council was produced, q^rby it appeared that there wer elected Samⁿ Carpenter & Edw^d Shippen, Who appeared.

The Sheriff of the County of Bucks His return of representatives for Council was produced, q^rby it appeared that there wer elected phinehas pemberton & Wm. Biles; y^e last appeared.

The Sheriff of the County of Chester his return of representatives for Council was produced, whereby it appeared that there wer elected David Lloyd & Caleb pussey, who appeared.

The Sheriff of the County of Newcastle His return of representatives for Council being called for, The Sec^rie produced a Let^r from Joseph Wood, then Sheriff of the sd County, dated 13th March, 1698-9, directed to him, wth half a sheet of paper, all blank; and in the Letter it was said: "I here inclosed send you the return of the names of the "Council & Assembly men Chosen here the 10th of this instant. To "give you anie reason for such an election is beyond my power; "Have had no discourse with anie of the electors about it."

The Sheriff of the Countie of kent his return of representatives for Council was produced, whereby it appeared that ther wer elected Wm. Rodeney & Richd. Willson, who appeared.

The Sheriff of the Countie of Sussex his Return of representatives for Council was produced, whereby it appeared that there wer elected Wm. Clark and John Hill, who appeared.

The sd Wm. Biles, Samⁿ Carpenter, Edw^d Shippen, David Lloyd, Caleb pussey, & Wm. Clark, did subscribe the declaracon of fidelity, The profession of the Christian belief & the test, & took their places att the board.

The sd Jn^o Hill, Wm. Rodeney & Rich^d Wilson took the oaths appointed by act of parliam^t to be taken instead of allegiance and supremacy, & subt. the test, & took y^r places att the board.

AND THEN WER PRESENT, viz :

William Biles,	David Lloyd,	Richard Wilson,
Sam ^l Carpenter,	Caleb pussey,	William Clark,
Edward Shippen,	Wm. Rodeney,	John Hill.

The Sheriff of the Countie of Bucks his Return of Representatives for Assembly was produced, whereby it appeared that there wer elected John Surkett, Enoch Yardley, Jn^o Swift & Rich^d Hough. The first two appeared.

The Sheriff of the Countie of philadelphia his Return of Representatives for Assembly was produced, whereby it appeared that there wer elected Anthony Morris, James ffox, Isaac Norris, Jn^o Bevan, who appeared.

The Sheriff of the Countie of Chester his Return of representatives for Assembly was produced, whereby it appeared that there wer elected John Blunston, Robert pile, Jn^o Worrola & Robert Carter, who appeared.

The Sheriff of the Countie of kent His Return of Representatives for Assembly was produced, qrb^y it appeared that there wer elected John ffoster, Tho. Sharp, Henrie Molleston, & James Brown. The first two appeared.

The Sheriff of the County of Sussex his Return of representatives for assembly was produced, qrb^y it appeared that there wer elected Wm. Biles, Wm. ffisher, Nehemiah ffield & Wm. Dyre. The first three appeared.

The sd Jn^o Surkett, Enoch Yardley, Anthony Morris, James ffox & Isaac Norris, Jn^o Bevan, Jn^o Blunston, Rob^t Pile, Jn^o Warrila, Rob^t Carter, Wm. Piles, John ffoster, Tho. Sharp, Wm. ffisher & Nehemiah ffield, did subscribe the declaraaon of fidelitie, profession of the Christian belief & the test.

All which members of Assembly that wer Returned and appeared, being thus qualified, The Lt. Go^r said: Gentl, I desire you to go together & choose yo^r Speaker, & return him to mee in Council as soon as you can, Who departed.

The Go^r Ordered the Secrie to write a Lre to Jn^o Swift & Rich^d Hough, to Command ym to make y^r appearance in Assembly, Which hee did.

Adjourned to the 11th instant, &c.

[11th May, 1699.

Ati a Council Held Philadelphia die Jovis, y^e 11th May, 1699.

At a Council Held at philadelphia die Venetia, 12th May, 1699.

PRESENT:

WM. MARKHAM, Esq^r. Leiut. Governo^r.

Samⁿ Carpenter,

David Loyd,

Rich^d Wilson,

Edw^d Shippen,

Caleb pussey,

Wm. Clark,

Wm. Biles,

Wm. Rodeney,

John Hill.

John Swift & Rich^d Hough, two of the members of Assembly for Bucks Countv, appeared & sub^d. the declaracon of fidelitie, profession of the Christian belief, & took the test, and wer sent to the House of representatives.

Anthonie Morris & Nehemiah ffield, acquainted the Lt. Go^r & Council that the members of Assembly wer ready to wait upon him. The Lt. Governo^r & Council, Returned that they wer readie to receive ym.

Then Jn^o Blunston, accompanied by all the repsentatives of Assembly, acquainted the Lt. Go^r that they had made choice of him for their Speaker. The Lt. Go^r replied that hee was well satisfied with their choice.

Then the Lt. Go^r said: M^r Speaker & you^e gentl of the Assembly, Before wee go upon anie other bussines, I think it meet that you inquire into the reason of the absence of Several members of yo^r house, & wee shall do the same here, and I shall signify to this board what I know in relaon to the sd absence, and if you think fitt, I shall appoint a Committee of the whole members of Council to join a Committee of the whole members of Assembly, to be a grand Committee, to inquire Into y^e same. The Assembly departed.

Then the Lt. Go^r read a Letter from Major Jn^o Donaldson, of Newcastle, directed to Him, dated y^e 18th April, 1699; & another dated the ——— day of ———, 1699; & Recomend ym to the Consideraon of the said grand Committee.

The messenger was by y^e Go^r sent to y^e Assembly, desiring ym to send two of their members to him in Council. Jn^o Bevan & Anthony Morris came.

The Lt. Go^r told ym that hee intended to resolve the whole members of Council Into a Committee, to Join a Committee of all y^e members of Assembly, to be a grand Committee, to inquire Into & Consider of the reasons of y^e absence of some members of Council & Assembly, & of y^e sd 2 Lres, and desired the Assembly to do y^e same.

It was ordered that the whole Council resolve itself into a grand Committee to Join a Committee of all y^e assembly, to inquire into & consider of the absence of y^e sd members & of y^e sd Lres, & to make report to this board to-morrow morning.

Adjourned to y^e 12th instant.

[12th May, 1699.

Att a Council Held att philadelphia die Veneris, 12th May, 1699.

PRESENT:

WM. MARKHAM, esq^r, Leiut. Governo^r, & all the members ut antea.

Wm. Clark, Chairman of y^e sd grand Comittee appointed to inquire into & Consider the reason of the absence of so manie members, made report in writting, viz: The Letters from John Donaldson directed to thy self, as also that of Joseph Wood, directed to the secrie, wch wer recomended to our Consideraon, wee have perused, & do resent y^e same as a great indignitie & High misdemeanor ag^t y^e governm^t, as also that the wtstanding, preventing or discouraging or elections of representatives for Council & Assemblie, is of verie ill consequence, & may tend to the subversion & overthrow of the frame & constituon of this governm^t, & prove destructive to the rights & Liberties of the freemen & inhabitants thereof. Therefore, wee are of opinion, y^t y^e sd Jn^o Donaldson & Joseph Wood ought to be forthwith sent for, to ans^r y^e premisses before this general Assembly, and y^t some suteable provision be made this sitting to pvent such miscarriages for y^e future.

WM. CLARK, Chairman.

Then the Lt. Go^r resolved the Council Into a Comittee to join a Comittee of Assembly, to hear the defences of y^e sd Jn^o Donaldson & Joseph Wood, who casually wer in town, to-morrow morning, & desired John Hill & Richd Wilson to acquaint the Assembly y^{ro}f, & the messinger to acquaint y^e sd Jn^o Donaldson & Joseph Wood therewith.

Adjourned to the 13th instant.

[13th May, 1699.

Att a Council Held att philadelphia die Sabbathi, y^e 13th of May, 1699.

PRESENT:

WM. MARKHAM, esq^r. et ysdem ut antea.

Phineas Pemberton, a member of Council for the Countie of Bucks, appearing, sub^t. the declaraon of fidelitie, profession of the Christian belief & the test, and took his place att the board.

The Comittee of Assembly, viz: Jn^o Blunston, Speaker, Anthonie Morris, James ffox, Richd Hough, Thomas Sharp & Wm. Piles, came (att the Go^rs request) into Council, and major John donalson being called and appearing, and the above said Lre of 26th of April having been read, Hee made ans^r that hee wrote it to the Go^r as a private pson, & did not think it wold be exposed, & y^t hee intended no reflection nor ill to the governmt yrby, & did assure that he ever had been & was then verie affectionate both to the proprietor & His governm^t & y^e Lt. Go^r. The Lt. Go^r and Council taking this ans^r Into Consideraon, dismist him.

Joseph Wood being called & appearing, the said Lett^r of his to the scerie Having been read, & the blanck half sheet of paper shown him, Hee made ans^r that hee intended no affront to nor slight of the governm^t, but what hee wrote was only jocular, & was sorrie that hee had given ym any offence yrby; which answer being Considered, hee was dismiss.

Adjourned to 15th instant.

[15th May, 1699.

Att a Council Held att Philadelphia die Lunæ, 15th May, 1699.

PRESENT:

WM. MARKHAM, esq^r, Lt.Go^r, et ysdem ut antea, & phinehas pemberton.

Anthony Morris & James Fox, from the House of Representatives, requested the Go^r wold appoint a Committee of the Council, to join a Committee of Assemblie, to consider of y^e amendment of some laws, & the making some new ones.

Resolved y^t the whole members of Council be a Committee to join a Committee of y^e House of representatives to consider as is desired, & to make report.

Upon reading the petion of Lassey Cock to the Lt. Go^r & Council, about some money due to him, Itt was recomended to y^e assembly for y^r allowance.

Upon reading the petion of Charles Sanders & other merts, about prohibiting skins to be caried out of this into any other province, as also y^e franckford petion about Hoggs; Both wer recomended to the assembly.

Upon reading the memorial of M^r Duncan Campbell, attornie for Coll. Andrew Hamilton, about y^e Sallary of 20li due to him for support of the post, for y^e year 1698, The same was by y^e Lt. Go^r & Council sent to the house of representatives, to be by ym allowed as a debt due by the governm^t.

Adjourned to 17th instant.

17th May, 1699.

At a Council Held att philadelphia die Mercury, 17th May, 1699.

PRESENT:

WM. MARKHAM, esq^r, et ysdem ut antea, except phineas pemberton.

Wm Clark, Chairman of the grand Committee of Council & assemblee, appointed to consider ut supra, made report to the Go^r & Council that they had proposed several amendments of some laws & some new ones to be made, which the members of Committee for Council Left to the representatives of Assembly to be drawn up into Laws.

Anthony Morris & James Fox brought some bills from the house of representatives to the Lt. Governo^r & Council for their assent.

John Swift & Isaac Norris brought some more bills from the sd house to the Lt. Go^r & Council for their assent, which with the former, wer read, considered & amended, & sent back to the house of representatives, wt y^r revice amendments.

Adjourned to the 18th instant.

[18th May, 1699.

Att a Council Held att philadelphia die Jovis, 18th of May, 1699.

PRESENT:

WM. MARKHAM, Esq^r, Leiut. Governor.

Sam ⁿ Carpenter,	David Lloyd,	Rich ^d Wilson,
Edward Shippen,	Caleb pussey,	Wm. Clark,
William Biles,	Wm. Rodeney,	John Hill.

The Lt. Go^r desired Wm. Biles & David Lloyd to acquaint the Assembly that Hee & Council waited for ym; Who returned that they wold forthwith attend him.

The Assembly appearing, M^r Speaker psented to y^e Go^r & Council ten Laws wch had past their house. The Lt. Go^r told ym Hee wold cause ym to be read & considered.

After reading of all the sd Bills three times by the secrie, They wer by y^e Lt. Go^r & Council approved of and assented to.

The first entitled, An act concerning elections of representatives in Council & Assemblee.

The 2^d, The Law for the continuation of an act entituled The Law for the speedie Collecting the arrearages of the assessment Laid in the year 1696.

The 3^d, An act for raising the rate of one penny p. £. & six Shills p. head, &c. for the support of y^e govern^t & the paym^t of the debts & defraying the necessarie charges yrof.

The 4th, The Law for regulating bread, flower, & tobacco casks to a certain guage, the better to inforce a Law made in the year 1692. entituled The Law about casks & packing meat for transportaon.

The 5th, The Law ag^t pirats and privateers.

The 6th, The Law for Impowering the Justices in each Countie to

Lay outt & Confirm all roads except the king's high-ways & publick roads.

The 7th, The Law for regulating ordinaries.

The 8th, The Law for appointing an officer to rectifie & stamp all money weights.

The 9th, The Law to prevent the Running of Stone Horses att Large.

The 10th, The Law about attachments & Sumons.

All which wer by the Lt. Governo^r and Council approved of.

Then y^e Lt. Governo^r desired John Hill & Wm. Rodeney to acquaint the Assembly that Hee and Council waited for ym. The Assemblie appearing,

The Go^r desired the Secrie to read over all the sd ten bills, wch hee did; and then underwrote each bil in these words, viz: The 18th day of May, 1699. This bill being three times read, was assented to by the Lt. Go^r & Council, and then the Go^r past ym all One after another, by affixing yrto his hand, & Seal of y^e province.

Then the Lt. Go^r ask't both Council & Assembly whether they had prepared anie other bills for his assent, or whether they had anie other bussines for this time, who answered No. Then the Lt. Go^r said: Gentl, I do dissolve you, & you are hereby dissolved.

The end of the Sixth sessions of Council & Assembly.

An Council Held att Philadelphia die Jovis, 4th January, 1699-700.

WM. PENN, pror & Governo^r, et ysdem ut antea, except Wm. Biles.

Accordingly y^e sd 4 persons appearing, & after a Long conference with ym, The pror & Go^r desired y^e by to-morrow morning they would deliver to him in writing, such expedients y^e might be an accomodation to the Late frame.

[1st January, 1699-700.

Att a Council Held att Philadelphia die Lunæ, 1st January, 1699-1700.

PRESENT:

WM. PENN, pror & Governo^r, et ysdem ut antea, except Wm. Biles.

The pror & Go^r Having proposed to y^e Council the necessitie of calling a genrll Assembly, qrin to take further measures for preventing & suppressing piracie & illegal trade; And after some debate yron, Hee desired ym to consider of it, & to be readie next Council to give him y^e best advice yrin.

The pror & Go^r also proposed that there might be a certain day in y^e weeke fixed to hold Council on.

Resolved y^e y^e Council meet on y^e 4th day of each week, 10 A. M. & oftener if occasion be.

Adjourned to 3^d instant.

Y^e sd paper wch they had formerly presented to y^e Late Lt. Go^r as y^e accomodation, & to y^e pror & the whole

Lay out & confirm all roads except the king's high-ways & lick roads.

The 7th, The Law for regulating ordinaries.

The 8th, The Law for appointing an officer to receive & store money weights.

The 9th, The Law to prevent the Running of Stone Horses.

The 10th, The Law about attachments & Summons.

All which were by the Lt. Governor and Council approved of.

Then Lt. Governor desired John Hill & Wm. Redburn to present the Assembly that Hee and Council waited for your Assembly appearing.

The Gov. desired the Secre to read over all the sd. bills.

Hee did; and then underwrote each bill in these words: viz:

18th day of May, 1693. This bill being three times read, was sent to by the Lt. Gov. & Council, and then the Gov. put your

One after another, by affixing y^ro hand & Seal of y^e Gov.

Then the Lt. Gov. ask'd both Council & Assembly whether they had prepared any other bills for his assent, or whether they had

other business for this time, who answered No. Then the Lt. Gov. said: Gentl, I do dissolve you, & you are hereby dissolved.

The end of the Sixth sessions of Council & Assembly.

1st January, 1693-700.

All a Council Held at Philadelphia the 1st January, 1693.

PRESENT:

W^m. PENN, Gov. & Governor, et y^esdem et alii, except W^m. Biles.

The Gov. & Gov. Having proposed: y^e Council the necessary calling a Genl. Assembly, and to take further measures for preventing & suppressing piracy & illegal trade: And after some debate y^esdem desired y^e Council to consider of it, & to be ready next Council to give him y^e best advice y^esdem.

The Gov. & Gov. also proposed that there might be a certain day y^esdem fixed to hold Council on.

Resolved y^e Council meet on y^e 4th day of each week, 10 A. M. & adjourn if occasion be.

Adjourned to 3rd instant.

3^d January, 1699-700.

Att a Council Held att Philadelphia die Mercury, 3^d January, 1699-700.

PRESENT:

WM. PENN, pror. and Governo^r.

Sam^l Carpenter, David Lloyd,

Wm. Clarke.

Edward Shippen,

The pror. & Go^r acquainted the Council y^t hee had re'd. from Rt. Turner, G^r Jones, Fr. Rawle & Jos. Wilcox, a pap. directed to Wm. Markham, Late Lt. Go^r, q^rin they complained to him y^t by y^e Late frame of gov^mi they had been deprived of the benefit of y^e old Charter, Wheron it was thought convenient y^t they, in Name of ymselves & others, might be heard befor y^e board.

Ordered y^t y^e Mess^r acquaint sd psens, in name of ymselves & others, to appear befor y^e Go^r & Council y^e 4th instant, Hora 10, A. M.

Adjourned to 4th instant.

4th January, 1699-700.

Att a Council Held att philadelphia die Jovis, 4th January, 1699-700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

Accordingly y^e sd 4 psens appearing, & after a Long conference with ym, The pror. & Go^r desired y^t by to-morrow morning they wold deliver to him in writting, such expedients y^t might be an accommodation between y^e old charter & the Late frame.

Adjourned to 5th instant.

5th January, 1699-700.

Att a Council held att philadelphia die Veneris, 5th January, 1699-700.

PRESENT:

WM. PENN, pro^r & Go^r. et ysdem ut antea.

The sd 4 psens again appearing, To whom y^e pror. & Go^r having resumed y^e substance of what had yesterday past, & having advised y^e members of Council & ym to peace & moderaon, Hee admitted ym to a friendlie conference.

Then y^e sd 4 psens desired y^e sd paper wch they had formerlie presented to y^e Late Lt. Go^r as y^e agrievance, & to y^e pror. & Go^r since

his arrival, wherein was Contained y^e substance of y^e objections ag^t y^e late frame, might be read, which was done by y^e secrie; as also a copie of a Lett^r from R^r turner, Gri. Jones, Fr. Rawle & Ar. Cook, of 9th 2^d mo. 1697, to y^e pror. & Go^r; which was also done. The sd 4 psons also delivered to y^e pror. & Go^r a pap. of 5th instant, in ans^r to his yesterday's proposal, desiring it might be read; wch was done: The substance qrof was, That psuant to y^e pror. & Go^rs proposal yesterday, they were humbly of opinion, y^e if hee wold be pleased to cause be elected on 10th March next, such members for representatives for Council & Assemblie, as is prescribed by the Chart^r hee formerlie granted ym, who might Conveen accordingle, & together wt himself, Settle y^e govermt in such manner as to him & ym (or att Lest to 6 pts in Seven) should seem expedient, y^e such settlement will be most satisfactorie to the well effected, who, they reasonable hope, will, wt ymselves, peaceable & joyfullie acquiesce yrin, & wch is Humblie offered to y^e Gor's prudent consideraon.

After much debate yrupon, The Go^r caused the Secrie read a Lett^r from y^e Lords Justices, Viz: Tho^r Cantmars: pembroke: p: Lonsdale, p: Devonshire, Bridgewater, Marlburrough, Montague, directed to y^e pror. & Go^r of y^e province of pennsilvania, dated 25th July, 1699. The substance qrof was particularlie to require him to be verie Carefull in Causing the acts of trade & navigaon to be duly putt in execuon wtin his matjes dominions undr his gov^rmt, & that in order y^rto, Hee faill not to give Constant protection & all due encouragm^t, not onlie to the officers of his Matjes Customs, but to those also of y^e Admiralties, wch his Matj. has thought fit to be there erected in the discharge & execuon of yr rexive duties, as hee will ans^r the Contrary. Then y^e pro^r & Go^r said, that hee hop'd they are now all sensible of the emergencie & necessitie hee was und^r of calling an Assembly forthwith, qrbv hee might the better complie wt the Lo's justices comands, & with the promises & assurances hee had given ym att his Last parting w^t ym, to use his outmost endeavour to maintain & support the king & Crown of England's just interests, & to give true protection & encouragm^t to all his officers, & to discourage piracie & illegal trade. The sd 4 psons declared ymselves satisfied with the emergencie & necessitie of calling an assemblie forthwith, to the ends aforesaid: butt as to y^e mannor, whether by writt or otherwise, they Left that to the prudence & discretion of the Go^r and Council. Adjourned to y^e 8th instant.

8th January, 1699-700.

Att a Council Held att Philadelphia die Lunæ, 8th January, 1699-700.

PRESENT:

WM. PENN, pro^r & Go^r, et ysdem ut antea.

pursuant a minute of Council of 1st instant, y^e pror & Go^r desired

the Council to give him yr opinion about calling an Assemblée for y^e ends in y^e sd minute menoned: Itt was Resolved, That y^e gn^d ass. meet att philad. 25th instant, & y^e a writt be issued directed to the sherif of Newcastle Countie, to choose representatives: 2 for Council & for ass. who, y^e tenth March Last, omitted to make an election; And y^e y^e secry give notice hereof by an express, to y^e Sheriffs of y^e other 5 Counties, to acquaint yr representatives to appear accordingly; Saving to y^e pror & Go^r y^e same power hee had before y^e enacting of y^e Late frame of governm^t.

Adjourned to 24th instant.

[24th January, 1699-700.

Att a Council Held att philadelphia die Mercury, 24th Januarie, 1699-700.

PRESENT:

WILLIAM PENN, pror. & Governo^r.

Sam^l Carpenter,

David Lloyd,

Wm. Clarke.

Edward Shippen,

Caleb pussey,

The Mess^r of the Council acquainted ym that Coll. Quarry desired admittance; wch being granted, Hee desired Anthony Morris might be called befor hee spoke, wch was done. Hee appearing, Coll. Quarry said, That in the pror. & Go^r's absence, many abuses had been Comitted, (qrof hee was in duty obliged to Complain home, but was glad to see him since his arrival discountenance y^e same, and provide better agt y^e like for the future,) & y^e goods that had been imported Contrarie to y^e Laws of trade, had been seized by the king's Collectors, & put in his majes store, and y^e before trial, Anthonie Morris signed a writt of replevin, qrbv the sd goods wer forcible taken out of the sd store, & outt of the power of the Court of Admiraltie, & what came of ym the sd Anthonie best knew. That this his action, was no Less then to Question whether his Matie or y^e sd Anthonie has most power. The act of parliam^t is for us, & hee cannot pretend ignorance, having been so Long a Justice y^e hee became verie insolent, & by this his action, hee has affronted y^e king, (what in him Lay,) & has broken his Laws & invaded his priviledges & Courts, And yrfor, desired the pror. & Go^r wold order y^e sd Anthonie to restore y^e said goods into y^e power of the Admiraltie again, & y^e sec^utie had been taken by y^e sherif for y^e value of y^e sd goods, according to appraisim^t, & y^e the Security refuses to pay y^e monie. (& y^e Sherif y^e took y^e bond is now Laid aside,) & y^e it is unreasonable y^e y^e king should be putt to y^e trouble & charge of a sute to recover the appraised value of y^e sd goods, (wch sd Anthonie had illegallie taken away out of y^e king's store.) Therefore, desired his Hono^r & Council, to think of a method of prosecuting sd Anthonie for y^e sd violaons, & to make good y^e sd apprised value of y^e sd goods to y^e king.

The sd Anthonie made ans^r, that his signing the sd replevin was an act of ignorance, & not of malice ag^t y^e king, his Laws & officers, y^t hee was psuaded to it by advice to ym y^t knew y^e Laws, & y^rior hop'd y^t wold excuse him, who had no benefit by nor interest in y^e goods nor y^r owner; & as for y^e appraised value, Hee knew nothing of it, but believed y^e securities wer responsible, & y^t it Look't verie hard y^t any Justice should suffer for an error in Judgment; & further added, that if it were to do again hee wold not do it.

Then the Go^r told Coll. Quarry y^t care should be taken to secure y^e appraised value of sd goods to y^e king & his officers, wtout either trouble or charge, & if hee was not satisfied wt Anthony Morris's being outt of Comission of the peace, & wt his psent submission, Hee might propose in writting what o^rher satisfaction hee expected, and it should be considered of. To wch Coll. Quarry made ans^r, y^t hee had no psonal animositie ag^t M^r Morris, & y^t for his pt hee was well satisfied wt y^e pror. & Go^r's promise, & M^r Morris' submission.

Adjourned to 14th February, 1699-700.

14th February, 1699-700.

Att a Council Held att philadelphia die Mercury, 14th Febr'y, 1699-700.

PRESENT:

WM. PENN, pror. and Governo^r.

Sam^l Carpenter,

David Lloyd,

Wm. Clarke.

Edw^d Shippen,

Upon Complaint of y^e poor ag^t y^e bakers of bread for sale not being of the Law^l & due assize, Justinian Fox, Jn^o Sawtell, Arthur Holton, Wm. Royal, Geo. Abbiott, Marie Merryweather, Tho. Hall & Hugh Derburrow, being sumoned appeared, to whom the Go^r notified y^e sd Complaint; Who generallie ansred, y^t tho' it was hard for ym to Live by itt, wheat being now 5^s 6^d p. bush., & y^t they having but smal stocks wer outt-bid by the eminent merts & bolters; yet hoped y^e bread was of y^e due assize.

The pror. & Go^r advised ym to be conformable to y^e Laws in that behalfe made, & said hee wold appoint a Clark of y^e market to y^e end.

The pror. proposed Wm. Southbee Clark of y^e market; y^e Council approved itt.

Randal Spikeman, Arthur Starr & Jn^o Heath, tobacco cutters in philad. upon notice given ym, appeared, whom y^e pror. & Go^r acquainted of a Law Latelie made to prevent frauds in trade, pticularly tobacco, & desired ym to beware & keep a just accot of y^e quantities of tobacco they sold Cutt, & for whom, both for exportaon & retail, & to give him accot y^rof when required, which they promised to do.

Upon reading y^e petition of y^e Late ass. to y^e pror. & go^r, to appoint a treasurer in room of Ja. fox, deced, The pror. & Go^r did appoint Sam^l Carpenter to be treasurer for y^e province & territories, Hee giving securitie to execute itt.

Adjourned to 15th instant.

[15th February, 1699-700.

Att a Council Held att philadelphia die Jovis, 15th Februy, 1699-700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

Upon reading y^e petition of Wm. Houston to y^e Go^r & Council, setting forth, That Edw^d Gibbs, Late Sheriff of Newcastle Countie, having arrested one Tho. Collins, att y^e Complainants sute, did take bond for said Collins' appearance & abiding y^e Judgm^t of Court, y^e Collins did not appear, qron sd Houston gott Judgm^t ag^t him, & by ord^r of Court, had y^e bail bond assigned by y^e Sherif, wch sd Houston putt in suit ag^t Georg Lamb, one of Collins' bail, who att Court pleading the razures & interlineaons of sd bond, It was adjudged void in its self; upon wch y^e per. sued sd sheriff & was cast, & appealed to y^e provincial Court, where he was also cast; That y^e petr represented y^e premises to y^e Lt. Go^r & Council y^e 16th May, 1699, who gave yr opinion y^e y^e per. might sue y^e bail again upon y^e sd bond, y^e same not being Legallie vacated by y^e sd Judgm^t; That y^e per. in August Last putt y^e bail bond in execuon & suit ag^t sd Lamb, who having pleaded y^e former acon in barr, the Court gave Judgm^t ag^t y^e per., viz: y^e y^e said action discontinue, wheron y^e sd per. craved an appeal, wch y^e Court refused to grant & wold no further hear him. As also, setting forth y^e forasmuch as it appears not by y^e record whether y^e razures wer before or after y^e sealing & deliverie of y^e bond, nor whether it was razed or interlined in anie essential part, neither was y^e rasure tried by a Jurie, as y^e per. is advised it ought to have been; & in as much as y^e same justices that allowed y^e assign^t of y^e bail bond did vacat the same, & afterwards discontinued the petr. action & refused him an appeal, qrby hee is Left remedie Less; And yrfor, requesting such relief in y^e premises as to justice and equitie shall appertain.

Which petition & paps. relating yrto having been read and Considered by y^e Go^r & Council, who yrby finding y^e per. to be left remedieless by y^e Courts not granting him an appeal, & Like to be defeated of his just debt,

It was yrfor resolved y^e y^e petr may de novo, enter his acon upon y^e bail bond ag^t y^e sd Geo. Lamb, & y^e other psons yrin bound, & y^e the validitie or invalidity of sd bond, as to y^e razures & interlineaons, be tried by a jury att y^e Countie Court of Newcastle.

The pror. & Go^r proposed to y^e Council y^t hee intended to Issue his writts for calling next Council & ass. in a charteral way as to the numbers, viz: 3 out of each Countie for Council & six for Ass., & desired yr advice yrin; After debate yron, the further consideraon yrof was deferred to next day.

Adjourned to 16th instant.

[16th February, 1699-700.

Att a Council Held att philadelphia die Veneris, 16th February, 1699-700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The pror. & Go^r did again propose y^e former intentions, & it was y^e Council's advice y^t Hee Issue his wttts to call y^e Council & Ass. Charterallie, both as to time & numbers of representatives, in ord^r to prepare & propose Laws, as hath been formerlie accustomed.

Adjourned to 6th March next.

[6th March, 1699-700.

Att a Council Held att philadelphia die Mercury, 6th March, 1699-700.

PRESENT:

WILLIAM PENN, prop^r and Governo^r.

Sam^l Carpenter,
Edw^d Shippen,

David Lloyd,

Caleb pussey.

The pror. & Go^r read to y^e Council Secrie Vernon's Lett^r about sending Home y^e pirats, as also y^e Earle of Bellemont's enlarging yron: after several debates about y^e time & manner of sending home dr. Brandingham & David Evans, prisoners here, Itt was y^e opinion of y^e board y^t y^e Governo^r write to y^e E. of Bellamont again about ym, & to his deputie Nanfan, att N. York, qther they will send for ym & yr treasure with a guard, or qther they must be transported from this place to Newyorke.

[5th April, 1700.

Att a Council Held att philad. die Veneris, 5th April, 1700.

PRESENT :

 WM. PENN, pror. & Governo^r.

Joseph Growdon,	Griffith Owen,	Jn ^d Donaldson,
Wm. Biles,	David Lloyd,	Jasper Yeates,
Rich ^d Hough,	Caleb pussey,	Sam ^d Preston,
Sam ^d Carpenter,	Jn ^d Simcoke,	John Hill,
Edw ^d Shippen,	Rich ^d Halliwell,	Tho. Fenwick.

Upon reading the petition of Henry Hayward, ag^t Anthonie Morris & Sam^d Richardson, Justices of y^e peace for philad. Countie, Hee was ordered to attend att 4 p. m., & ordered y^e mess to acquaint y^e Justices yn to attend also.

Upon Reading y^e petition of Susanna Harwood, widdow, setting forth y^e her husband Wm. dying intestate, Left behind him 3 smal children, qch shee is in no capacitie to bring up but by a retail shop, wch requirs a greater stock than shee has to support it, unless a Lott in 2^d street in philad., with a small house yron unfinished, may be by her sold, to raise monie to pay her husband's debts, Carry on her trade, to maintain & support her children & familie: & yrfor Requesting ym to allow & permitt her to sell y^e sd house for y^e ends aforesaid. The Go^r & Council dō grant y^e wtin petition, upon securitie to be given by y^e per. y^e y^e sd children shall have y^e proporon of y^e father's estate forthcoming to ym after his debts are paid. Sam^d Carpenter offered to be her securitie, who is her securitie in y^e office for her administring on her deced Husband's estate.

Adjourned to 3 post merid.

Att wch time y^e sd petition of Henry Hayward being again read, and y^e record of his misbehaveor & Comittm^t having been produced by y^e Clark of y^e Countie Court, Hee denied y^e sd record, & undertook to produce his wittnesses y^e hee had not offended in mann^r yrin contained; & y^e next Wednesday was assigned him for his & y^e Justices, & His wittnesses attendance.

[12th Aprill, 1700.

Att a Council Held att philad. die Veneris, 12th Aprill, 1700.

PRESENT :

 WM. PENN, pror. & Go^r, et ysdem, except Jasper Yeates.

The pror. & Go^r acquainted y^e Council y^e hee had Late intelligence y^e Wm. Orr, Geo. Thompson, peter Lewis, Henry Stretcher & Diggerie Tenny, inhabitants of y^e town of Lewis, in Sussex Countie, had gone on board Capt. kidd, y^e privateer, (who in Julie last Lay some days before Cape Henlopen,) and had Corresponded wth him, & received from him & his crew some muslains, Calicoes, monies

& other goods wch wer East India, & prohibited goods, & y^t they had brought ym on shore, hid, sold & given away most of ym, wtout acquainting y^e govrmt or y^e king's Coll^r of y^e port of Lewis w^t y^e same, wch hee Look't upon to be, if not piracie, att Lest Confederating w^t ym, & accessaries & promoters of illegal trade, & yrfor desiring y^e Councill's advice yrin.

Itt was the opinion of the Go^r & Council, That ——— Lawman, Collector of port Lewis, should be attested as solemnlie as if he took an oath, to declare the truth as farr as hee knows in y^t matter, & y^t yrafter y^e sd psons should be examined one by one, Concerning y^e sd Crime; wch was done, & y^e examinaons are on file.

Upon reading y^e petition of Luke Manlow, setting forth that att kent Countie Court 12th March Last, hee was p^rented for feloniouslie taking a Heiffer in March, 1696, & was Comitted & tried wtout his evidence, & denied imparlance to y^e next Court, & Cast as a fellow, & y^t hee honestly pchased sd Heiffer, & is now furnished wt evidence to prove y^e same. And therfore, Requesting an ord^r to y^e Sheriff of sd Countie to forbear execuon of any Judgmt in y^t casse, & to grant him a rehearing att next Court for sd Countie.

Ordered y^t y^e per. have a rehearing yrof next Quart^r ss. for sd Countie, & y^t Wm. Wilson, sheriff yrof, desist from executing any writt or warrant of execuon issued, or to be issued outt ag^t y^e per on sd Judgmt, att his perrill, & y^t y^e per. intimate this ord^r to him.

Adjourned to 13th instant.

[13th April, 1700.

Att a Council Held att philad. die Sabathi, 13th April, 1700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The pror. & Go^r desired the Council to advise him what was fitt to be done w^t sd Wm. Orr & others, in ord^r to y^e trial & punishm^t. It was y^e unanimous opinion of y^e Council y^t they be comitted & delivered up into y^e hands of the Court of Admiraltie, in ord^r to y^e trial, & y^t Jn^r Moore, deputie to Coll. Quarry, Judge yrof, be sent for & acquainted yrwth, & y^t his advise be taken yrin. Upcn notice given him Hee appeared, & y^e pror. & Go^r acquainted him y^t hee had sent 150 miles for sd psons, y^t they wer come att y^e province charge, & had been examined before him & Council & Comitted Close prisoners, & y^t itt was y^e opinion y^t hee, as Coll. Quarrie's deputie, be acquainted & consulted about the manner of y^e trial. The sd Jn^r Moore made ans^r y^t hee was but deputie, & y^e thing new to him, but assured ym y^t Coll. Quarrie wold be in town in a few days, & yn they wold take measures for y^e trial, & y^t it was not fitt to be precipitant yrin. To wch y^e Go^r & Council acquiesced.

Adjourned to 15th instant.

[15th Aprill, 1700.

Att a Council held att philad. die Lunæ, 15th Aprill, 1700.

PRESENT:

WM. PENN, pror. & Go'.

Edward Shippen,	John Donaldson,	Sam ^l Preston,
Griffith Owen,	Tho. Bedwell,	Tho. fenwick.
David Loyd,	John Hill,	

The pror. & Go' acquainted y^e Council y^t by warrt hee had Comanded the sherif of kent Countie to bring hither one James Brown who came home wt Capt. Averie to providence, who brought him up, & was examined befor ym 12th instant, & was now prisoner in this Countie goal, & desired to be advised by y^e Council whether to take bail for his appearance, or to send him hence to England by y^e first opportunity, or to send him to Boston in New England, to y^e Earle of Bellomont, in obedience. Itt was y^e Council's opinion y^t hee be sent to Boston, to y^e Earle of Bellomont.

[25th June, 1700.

Att a Council Held att philad. die Martis, 25th June, 1700.

PRESENT:

WILLIAM PENN, Proprietor and Governour.

The pror. & Go' sent y^e mess' of the Council to Call Edward Shippen, Sam^l Carpenter, Jn^o Moll, Robt. turner, Gr. Owen, Wm. Clark, Caleb pussey & Joseph Growdon, to attend him att his house. Accordinglie Ed Shippen, Sam^l Carpenter, Jn^o Moll, Wm. Clark & Caleb pussey appeared. The prôr. & Governo' acquainted ym y^t since the Charter was delivered up again to him, it was not fitt hee should be wtout a Council, y^t y^rfor hee had made choice of ym to be some of his Council, & y^rfor desired y^e secrie to read y^e Qualification prepared for ym to sign; wch hee did, & sd psons signed y^e same & took place att y^e board; also, Rob^t turner appeared & was also qualified.

Adjourned to 26th instant.

[26th June, 1700.

Att a Council Held att philad. die Mercury, 26th instant.

PRESENT:

WM. PENN, pror. & Governo'.

Edward Shippen,	Wm. Clark,	R. Turner.
Sam ^l Carpenter,	Jn ^o Moll,	

Griffith Owen appearing, signed y^e qualificaon aforsd & took his place.

The pror. & Go^r delivered to y^e scerie a Comission under y^e great seal of the province, appointing one Thomas Storie keeper of the great Seal & M^r of the Rolls, to be read; wch being done, y^e pror. & Go^r delivered him y^e sd seal & admitted him a member of Council, who signed y^e sd qualificaon, & took place.

Resolved y^e y^e Council meet everie 4th day of y^e week, y^e att Govr's house, att 9 in y^e morning, & oftener, as hee should give ym notice.

Adjourned to 1st July, 1700.

[1st July, 1700.

Att a Council Held att philad. die Lunæ, 1st July, 1700.

PRESENT:

WM. PENN, pro^r and Governo^r

Edw^d Shippen,

Wm. Clark,

Thomas Storie.

Rt. Turner,

John Moll,

Upon reading the petion of Sarah Gibbs, widdow, setting forth y^e Her Husband Latelie dyed, Leaving her much in debt, & the charge of a sucking child, & having nothing wherwt to pay y^e sd debts but y^e shell of a smal house, unfinisht, & a Lott valued att 50£, and yrfor, requesting y^e Go^r & Council to allow, permitt, & authorize her to make sale yrof, towards y^e defraying of sd debts, educaon of sd infant & her support, according to the Laws and Customs of sd province. Wheron Rt. turner signified y^e y^e sd allegaons wer true, y^e circumstances yrof being to him well known.

It was yrfor Ordered y^e sd Sarah Gibbs be pmittid, allowed & authorized, & is hereby by y^e Go^r & Council pmittid, allowed & authorized, to make sale & conveyance to anie pson qtsoever, of y^e sd house & Lott, wt its improvments and apptenances, & to ym & y^e Heirs & assigns for ever, towards y^e defraying of her just debts, y^e educaon & maintainance of sd infant & her owne support, according to y^e Laws & Customs of sd province, to Hold to y^e sd pchasers yrof & y^e heirs & assigns, & to y^e use & behoofe, in fee simple & estate of inheritance forever. Itt was unanimousslie agreed & assented to by y^e Go^r & Council, that ——— be appointed & is hereby authorized & im- powered to go round y^e town with a small Bell in the night time, to give notice of y^e time of the night & the weather, & if anie disorders or danger happen by fire or otherwise in the night time, to acquaint the Constables yrof.

Ordered y^e y^e Scerie give notice to Benj. Chambers & ——— powell, keepers of y^e ferries over Skunkill, y^e they do not, after day Light is shutt in, transport anie psons y^e if not well known to ym, or y^e cannot give a good acct of ymselves.

Itt was by y^e pror. & Go^r proposed to the Council to consider how y^e law about prisons being workhouses should be effectualle put in execucion.

Upon reading the memorial of Wm. Southbe, Clark of y^e market, to Go^r & Council, about rules to be made for regulating y^e market of philadelphia & bread assize,

Ordered y^e sd Wm. Southbe in y^e meantime discourse y^e bakers about y^e assize of bread, & y^e hee, w^t some of ym, attend this board y^e 3^d instant.

Adjourned to 3^d instant.

[3^d July, 1700.

Att a Council Held att philadelphia die Mercury, 3^d instant.

PRESENT:

WILLIAM PENN, pror. and Governo^r.

Edw^d Shippen,
Samⁿ Carpenter,

Robt. Turner,
John Moll,

Wm. Clark,
Tho. Story.

Wm. Southbee & some of y^e bakers appeared wt y^e bread, wch being weighed was found too Light. In excuse they affirmed y^e if they came up to y^e assize they could not Live by itt, wch was y^e general opinion of the Council; And y^efor, it was ordered by y^e Go^r & Council y^e each baker should bake but 3 sorts of bread, viz: white, wheaten & household, & no more, & yt the Loaves should be a pennie Loaf or roll, a 5^d Loaf & a 10^d Loaf, & no other; & if anie of these should exceed the assize in finnes or weight, It should be equallie seizable as if it wer und^r the finnes or weight, & y^e each Baker of soft bread be allowed 6^d on y^e bushell above y^e assize, i. e: when wheat is att 5^s p. bush. they shall make y^e bread as if it wer at 5S 6d, & wheat being now 5S. p. bush. y^e sd white bread shall weigh siz oz; the wheaten 10. oz, & y^e household 13 oz & $\frac{1}{4}$, & so proporonable.

Adjourned to 5 post meridiem.

Att wch time, Joseph Growdon appearing, subt. y^e qualificaon and took his place.

The pror. & Go^r caused the scerie to read y^e orders, Rules & Regulaon y^e wer made for y^e market att philad. y^e 1st 8br, 1693, wch was done; & after some alteraon in y^e sixt article, they ratified y^e same & ordered y^e scerie to ingross ym in these minutes, & to give Copie yrof to the Clark of the market, by him to be executed wt as much discretion as hee could, and y^e sd regulaon stands fair on y^e said minutes y^e sd 1st 8br, 1693, to wch referr consisting of 9 articles, qrof y^e sixt is That no Hucksters (or psons y^e sell again) shall buy or cheapen anie of the aforementioned provisions untill y^e second ringing of y^e Bell, upon forfeiture of y^e same & 6^d $\frac{1}{4}$ to y^e poor, & $\frac{1}{4}$ to y^e Clark of y^e market.

Upon reading the petition of Catherin Vandever ag^t Cornelius Empson, Ordered y^t y^e secrie by Lett^r, acquaint y^e sd Cornelius therewith. & that Hee send him Copie of sd petition, and y^t hee appear before y^e Gor & Council the 17th instant, to make answer to y^e same.

Adjourned to 10th instant.

10th July, 1700.

Att a Council held att philad. die Mercury, 10th July, 1700.

PRESENT:

WM. PENN, pror. & Governo^r.

Upon reading the petition of James Streater, setting forth that in 1686 hee sent hither a man & his wife bound to him for 4 years, y^t y^e woman died att sea, & y^e man soon after hee came hither, y^t wt ym hee sent a boy bound to him for 3 years, & about 40£ st in goods, to take up his Land; y^t y^e sd servant man made a will & gave y^e pers. servant boy, Edw^d James, his time & all y^e sd goods, & y^t y^e boy concealing y^t hee was servant to anie other than y^e pers. man, Jn^o Honnet, The Court bound out y^e sd boy to Jn^o Redman, Bricklayer, for 4 years, who choose him for his guardian, who administered on y^e sd pers. goods, apprizd at 38£. 4s. & 7d, & some of ym at an under value. That y^e per. wrote to Wm. Clayton about itt, who told sd Redman y^t y^e sd goods & boy wer y^e pers. & y^t sd Redman had y^e pers. writings in his hands, wch hee latelie hath delivered to him, & y^t sd Redman & James have y^e sd goods between ym, or y^e value of ym, & y^t said Redman hath said hee will never pay y^e per, ptending hee hath paid y^e s^d James, who says hee has received but 9£, & y^t sd Redman sold y^e sd James to one Freeman for 20l, & paid himself wt 20li of his goods, and yrfor desiring Justice. The per. produced Indres. for said John & Martha Honnets, und^r y^e hands & Sealls, as also the nuncupative will of y^e sd Jn^o. as it stands recorded in y^e office of probate of wills, &c. & an obligeon undr y^e hands & sealls of Jn^o Redman & Wm. Freeman, his suretie, to admr the estate of sd Jn^o, & an Invrie.

Ordered y^t Sam Carpenter speak to sd Redman about the said petition, & to know of him whether hee will Leave it to y^e decision of men.

The inconveniencie of the goales standing where it now does, and y^e removal yrof to y^e place purchased for y^e same in 3^d street, being moved to y^e Gor & Council, After some debate yrupon, The Gor & Council appointed Edw^d Shippen & Wm. Clark to go to y^e inhabitants adjacent to y^e prison, & to see what they & others will advance beforehand (to be deducted out of the next County tax to be Laid for building a Court house) towards removing y^e sd goal & Brick wall.

Adjourned to 17th instant.

Upon reading the petition of Catherine Vandewater ag. Cornelius H. son, Ordered y. y. secret by Left, respondent v. ad Cornelius H. son, & that Hec send him Copies of sd petition, and y. hce appear before Gor & Council the 17th instant, to make answer to y. same.
Adjourned to 10th instant.

10th July, 1700.

At a Council held at Philadelphia the Monday, 10th July, 1700.

PRESENT:

WM. PENN, prov. & Governor.

Upon reading the petition of James Smeater, setting forth that 1688 hce sent hither a man & his wife bound to him for 4 years. y. woman died at sea, & y. man soon after hce came hither, y. hce sent a boy bound to him for 5 years, & about 40£ st in goods to take up his Land: y. y. ad servant man made a will & gave p. servant boy, Edw. James, his time & all y. sd goods, & y. boy concealing y. hce was servant to some other than y. p. man, Honnet, The Court bound out y. ad boy to Jⁿ. Redman, Highshy for 4 years, who chose him for his grandson, who administered y. ad p. goods, appraised at 38£. 4s. & 7d. & some y. in an und value. That y. p. wrote to Wm. Clayton about Jⁿ. who told Redman y. y. ad goods & boy were y. p. & y. ad Redman had p. writings in his hands, wch hce had hce delivered to him y. ad Redman & James have y. ad goods between ym, or y. value ym, & y. said Redman had said hce will never pay y. p. p. hce had paid y. ad James, who says hce has received but 9£. & y. Redman sold y. ad James to one Freeman for 30£. & paid himself 20£ of his goods, and y. p. bearing Justice. The p. p. p. Indors. for said John de Martin Honnets, and y. hands & seals, also the nuncupative will of y. ad Jⁿ. as it stands recorded in y. cell of probate of wills, &c. & an obligation under y. hands & seals of Redman & Wm. Freeman, his surety, to admit the estate of sd Jⁿ. an Inyrie.

Ordered y. Sam Carpenter speak to ad Redman about the said p. tion, & to know of him whether hce will leave it to y. Justice men.

The inconveniencies of the goods standing where it now does, y. removal y. to y. place purchased for y. same in 17th street, hce moved to y. Gor & Council. After some debate stopped. The Gor Council appointed Edw. Shippen & Wm. Clark to go to y. place, and adjacent to y. prison, & to see what they & others will allow beforehand (to be deducted out of the next County tax to be paid in building a Court house) towards removing y. ad goods & hce well Adjourned to 17th instant.

[17th July, 1700.

Att a Council Held att philad. die Mercury, 17th instant.

PRESENT:

WM. PENN, pror. & Governo^r.

Edwrd Shippen,

Jn^o Moll,

Tho. Story,

Samⁿ Carpenter,

Robt. Turner,

Gr. Owen.

Wm. Clark,

Samⁿ Carpenter Reported y^t hee had discoursed sd Redman about Ja. Streater's complt ag^t him & Edw^d James, who told him y^t hee was ready to justifie himself before y^e Go^r & Council.

Upon reading again y^e petition of Catherine Vanderveer ag^t Cornelius Empson, who, according to an order of this board y^e 3rd instant, appeared, and after a full hearing & inspection of all y^e old & new pats, & all witnesses on either side, both viva voce & affidavits, & of all their draughts to ym produced, The pties att Last wer willing to stand to & be Concluded by y^e report of 2 able surveyors, that should be appointed by y^e Go^r & Council to view y^e sd Lands, lines & bounds, att y^r charge. The Go^r promised to appoint 2 such surveyors.

Adjd to 24th instant.

[24th July, 1700.

Att a Council held att philad. die Mercury, 24th instant.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

Jn^o Redman & Ja Streater, according to appointmt of last Council, appeared, & sd Jn^o being fullie heard in his owne justificaon, to y^e satisfacon of sd James & Go^r & Council, yet sd Jn^o being sensible of y^e Loss sustained by y^e sd Streater, offered in y^e spring to pay him 5li, in Consideraon of y^e advance y^t might have been made on y^e sale of y^e sd goods; And y^e Go^r & Council Left sd Streater to his remedie att Law ag^t sd Edw^d James, who had y^e whole & sole benefit of sd Streater's goods.

Adjourned to 31st instant.

[31st July, 1700.

Att a Council Held att philad. die Mercury, 31st instant.

PRESENT:

WM. PENN, pror. & Governour.

Samⁿ Carpenter,

William Clarke,

John Moll.

Edw^d Shippen,

[17th July, 1700.]At a Council Held at Philadelphia the Mercury, 17th instant.

PRESENT:

WM. PENN, prior & Governor,
 Edw^d Shippen, Mr. Moll,
 Sam^l Carpenter, Robt. Turner,
 Wm. Clark,
 Tho. Story,
 Gr. Owen.

Sam^l Carpenter Reported y^e hee had discoursed wth Redman about
 a. Streeters complaint, him & Edw^d James, who told him y^e hee was
 ready to justify himself before y^e Go^d & Council.

Upon reading again y^e petition of Catherine Vanderweert ag^t Corne-
 lius Rijnpoort, who according to an order of this Court y^e 2^d instant,
 appeared, and after a full hearing & inspection of all y^e old & new
 facts, & all witnesses on either side, both viva voce & affidavits, &
 of all their thoughts to y^e Court produced, The Court are of opinion
 to stand to & be Concluded by y^e report of 2 able answerers, that
 should be appointed by y^e Go^d & Council to view y^e ad lunda, lines
 & bounds, at y^e charge. The Go^d promised to appoint 2 such an-
 swers.

Adj^d to 24th instant.[24th July, 1700.]At a Council held at Philadelphia the Mercury, 24th instant.

PRESENT:

WM. PENN, prior & Go^d, et y^edem ut antea.

Mr. Redman & a. Streeter, according to appointment of last Coun-
 cill, appeared, & ad in being fullie heard in his own justification to
 y^e satisfaction of ad James & Go^d & Council, yet ad in being sensible
 of y^e loss sustained by y^e ad Streeter, offered in y^e spring to pay him
 50^l. in Consideration of y^e advance y^e might have been made on y^e sale
 of y^e ad goods; And y^e Go^d & Council L^{td} ad Streeter to his promise
 at Law ag^t ad Edw^d James, who had y^e whole & sole benefit of ad
 Streeters goods.

Adjourned to 31st instant.[31st July, 1700.]At a Council Held at Philadelphia the Mercury, 31st instant.

PRESENT:

WM. PENN, prior & Governor,
 Sam^l Carpenter, William Clarke,
 Edw^d Shippen,
 John Moll.

Upon reading the petion of Eliz Sanders, y^e widow & admrix of Jn^o Sanders, deced, setting forth that gras hee by his last will & testamt of 21 7br, 1699, after paymt of his debts & funeralls, bequeathed y^e rest of his real and psonal estate to sd Eliz during her widowhood, but if shee should again marry, yn y^e one half yrof be putt into y^e hands of Edwd Shippen & Nathan Stanburry, exers yrof, to be put to interest, & to be equallie divided between his children att y^e age of 21 years; And also setting forth, y^e gras y^e sd exers having renounced y^e sd office of exership, shee administered on his estate Cum testando annexo, & exhibited inventarie yrof, amounting in the whole, both real & psonal estate, to 519li 19s 6d; as also setting forth, y^e gras y^e sd Jn^o att his decease owed 174li, wch when paid yr will be remaining in her hands onlie 85ll. 19s 6d, of y^e s^d psonal estate; And also setting forth, that by y^e Laws of this govermt about Testates & Intestate's estates & y^e sale of y^e Land by y^e widow or admr, Itt is provided y^e after all debts are paid, the residue, if anie be, of y^e testator's psonal estate, shall be by y^e exers divided according to their Last wills; And also setting forth, y^e by y^e sd will it evidentlie appears that the Testator's design & intent was y^e y^e one half of his sd clear estate, viz: both real & psonal, should be putt to interest, & be equallie divided between his sd children, att y^e age of 21, wch can not be done unles y^e sd real estate, or some part y^e of, be sold; And also setting forth, that gras y^e sd psonal estate is not sufficient both to pay y^e sd debts & to keep in repair y^e dwelling house & fences, & y^e plantation & house yron, & to bring up, educate & maintain 3 young children, & to support y^e per, & to improve y^e sd estate to the best advantage, and y^e y^e sd Jn^o died ptlie testate & ptlie intestate, And yrfor requesting y^e Go^r & Council to allow, permitt & authorize y^e per. to make sale of y^e sd real estate towards the defraying of the sd debts, y^e educaon & maintaining y^e sd 3 children & her owne support, and y^e per. is willing y^e the one half yrof shall be putt outt for sd children's use to interest, according to y^e sd will & y^e Laws & Customs of this province, & y^e shee may be Impowered & authorized to make title to a Bank Lott & house sold by her Husband in his Life time, to the purchasers yrof. And y^e sd petitioner having made outt to y^e Go^r & Council y^e allegaons in sd petion mentioned,

It was ordered, That shee be pemitted, allowed & authorized, & is hereby by y^e Go^r & Council pemitted, allowed & authorized, to make title, sale and Conveyance to y^e sd bank Lott & house yron built, wch by her Husband before his death, was sold to ———, as also of such other her sd Husband's real estate, (to wch hee had right,) wt all y^e Improvments & apptenances to y^e pchasers y^e of, y^e heirs and assigns for ever, towards y^e defraying of her just debts, the educaon & maintainance of her sd 3 children, her owne support, and the better Improvmt of y^e sd estate to y^e sd children's use, according to will, To Hold to y^e pchasers yrof rexivelie and to y^e Heirs and assigns, by such estate as y^e sd Jn^o Sanders held y^e same. And itt was ordered that y^e sd per. putt outt y^e sd One Half of y^e sd clear estate, & the half of y^e produce of y^e sd real estate when sold, to interest, according to y^e direction of y^e sd will, by y^e advice of Edwd Shippen & Nathan Stanburry.

Upon reading the petion of George Heathcote ag^t Thomas Groves, & the records of several Courts, The Go^r & Council ordered y^e Secrie to prepare a Copie of y^e sd petion to be sent to sd Thomas, & an odr of this board, directed to y^e sheriff of Sussex Countie, to Summons y^e sd Groves to attend y^e Go^r & Council y^e 25th 7br. next, to make ans^r to y^e sd petion.

Adjourned to 7th Aug^t next.

[7th August, 1700.

Att a Council Held att philad. 7th August, 1700, die Mercury.

PRESENT:

WM. PENN, proprietor & Governo^r.

Edward Shippen,

Wm. Clarke,

Griffeth Owen,

Robert Turner,

Sam. Carpenter,

Thomas Storie.

Complaint haveing been made to this board by some of y^e members of Council, that y^e Late firing of gunns from on board some vessells lying before philad. hath not onlie frightened some women & children, but hath also occasioned some of the Senecar Indians y^e came hither to treat w^t this governmt to depart, as believing y^e firing of sd gunns to have been signs of Hostilitie intended ag^t ym. It was yrfore ordered y^e no vessells Lying before y^e town of philad. shall fire anie gunns but att coming in & going outt, as a sign of yr arrival & deptime, & y^e James Logan give notice to M^r of vessells of this odr at their entrie of their vessells in his office. The Go^r also, in open Councill, Informed y^e 3 Senecar Indians y^e stayed behind the rest, that itt was the Custom of y^e English to fire gunns as a sign of joy & kind entrainment of y^e friends coming on board; & was in no manner of ways intended to frighten or disoblige ym; as also informed ym, yt they wer & should be verie wellcome to this gov^mt, & in token of amitie & friendship wt ym, y^e Go^r gave ym a Belt of Wampum, by ym to be shoven to the other Senecar Indians y^e went away upon firing y^e sd gunns, Which they kindlie accepted of. The Go^r also desired y^e members of Councill to go on board Capt. Sims' vessell w^t y^e sd 3 Indians & y^e Interpreter, y^e they might see y^e manner of the English on board y^e vessells, wch was accordinglie done, to y^e great satisfaction.

Adjourned to y^e 14th instant.

14th August, 1700.

Att a Council Held att philad. die Mercury, 14 Aug^t, 1700.

PRESENT:

WM. PENN, pror. and Governo^r, et ysdem ut antea, & John Moll.

Upon reading y^e petition of Gilbert Wheeler ag^t Edw^d Antill, The Governo^r desired y^e Council on both sides to argue y^e matter before him & Council, wch was done; & several paps. wer produced & read about y^e matter in difference. The Go^r ordered ym to appear again to-morrow morning, in order to a furth^r examination & Hearing the same.

Adjourned to 15th instant.

[15th August, 1700.

Att a Council Held att philadelphia die Jovis, 15th instant.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The Council of Gil. Wheeler & Edw^d Antill having been again heard att Length, The Go^r & Council appointed ym to appear before him and Council y^e 28th, & y^e hee & Council wold in y^e meantime fullie Consider of an answer.

Upon reading the petition of Henry Elfreth ag^t Griffith Jones, The same was referred to y^e Comrs of inquirie into titles of Lands & Lotts.

Upon reading the petition of Elizabeth Robinson, widdow, ag^t y^e sherif of Newcastle & Jasper Yeates, the same was deferred to y^e 29th instant, being a case unpisident in this province.

It was this day ordered by the Go^r & Council, y^t the king's Highway or publick road, & the bridges yrin from y^e town of Philadelphia to the falls of Delaware y^t now are, be w^t all expedion sufficientlie cut & cleared from all timber, trees & stumps of trees, Loggs, & from all other nusancess whatsoever y^t Ly cross y^e sd way, & y^t y^e same, with all passages in & outt of all creeks & Branches, may be made passable, Comodious, safe and easie for man, horse, cart, waggon or team, by y^e rexive overseers of the highways & Bridges wthin the rexive precincts, townships and Counties of philadelphia & Bucks, according to Law. And y^t y^e respective Courts of Justice & Justices of y^e peace in y^e sd Counties, Cause y^e same be dulle pformed. & the Laws in those Cases made & provided to be strictlie putt in execuon, und^r y^e rexive penalties yrin contained, & y^t y^e secerie take care to send a Copie of this ord^r to y^e Counties of philadelphia & Bucks respectivelie.

Adjourned to 11th 7br., 1700.

11th Septemb^r, 1700.

Att a Council Held att philad. die Merc, 11th 7br., 1700.

PRESENT:

WM. PENN, pror. & Governo^r.

Sam^l Carpenter, Griffith Owen, * Tho. Story.
Edward Shippen, John Moll,

Upon reading y^e petition of Joseph Ashton, setting forth THat the justices of Philadelphia Countie Having granted a roade Leading to pemapecca mill, & ordered six men of y^e neighbourhood to sett itt forth, by the agreemt of 4 of y^e six, & y^t 4 of ym in y^e absence of the other two, did sett itt forth to y^e pers. prejudice, & y^t itt may be altered without incommoding y^e sd road, as in a draught yrof wt y^e sd petition to y^e Go^r & Council exhibited, & yrfor Requesting y^t y^e Go^r & Council wold appoint a road of a reasonable breadth, according to y^e sd draught, or to appoint psons to view & sett itt forth according to y^e discretions.

It was ordered y^t the said six psons appointed by y^e Countie Court, do all meet together & Lay outt y^e sd road, both as y^e 4 psons have Laid itt outt, & as it is desired by y^e per. in his draught, & y^t they return y^e sd draughts & courses of both roads, wt y^e con & inconveniencies, & y^e reasons yrof to y^e Go^r and Council y^e 25th instant.

Upon reading the petition of Henrie Elfreth, ordered y^t Griffith Jones have notice to appear befor y^e Go^r & Council y^e 25th instant, with his evidents of his Bank Lotts over ag^t y^e blue anchor.

Upon reading y^e petition of Eliz^h Robinson, widdow, agt the Sheriff of the Countie of Newcastle & Jasper Yeates, Ordered y^t sd Yeates Have notice of sd petition & y^t hee appear 25th instant, & y^t shee be then heard by her Counsell.

Adjourned to 12th instant.

12th August*, 1700.

Att a Council Held att philad. die Jovis, 12th instant.

PRESENT:

WM. PENN, pror. & Go^r. et ysdem ut antea.

Upon full hearing of y^e matter in difference between Edw^d Antill & Gil. Wheeler, who had referred y^e same to y^e Go^r and Council,

The Go^r & Council Ordered sd Antill to pay to sd Wheeler One hundred pounds y^e first of May, 1701, & to give securitie for y^e paymt of y^e same, & that sd Wheeler do forthwith sign to sd Antill & his heirs and assigns, a deed of sale & conveyance for y^e mortgaged pmisses in fee simple & estate of inheritance for ever, & y^t sd

*September.

Wheeler do live on y^e pmisses to y^e sd first of May, 1701, on such rent as they shall agree for.

The pror. & Gor. proposed to the Council the necessitie of calling an assemblie in y^e fall, for revising y^e laws securing proptie, a frame of govermt & support yrof, & paying y^e debts yrof.

Itt was Resolved y^t y^e pror. & Go^r do Issue his writts to sumons the freemen in each Countie to meet y^e 1st 8br., to choose 4 psons to serve as y^e representatives in Ass., & to meet att Newcastle y^e 14th day yrof, & y^t y^e scerie do forthwith prepare writts for that end.

Adjourned to 10th 8br., 1700.

PROVINCE OF PENNSYLVANIA & TERRITORIES, SS.

Minutes of Council in the Assembly anno RL R^o Gulielm^o t^{er}cy Anglie, &c. decimo.

10th Octob^r, 1700.

Att a Council Held att philad. die Jovis, 10th Octo^r, 1700.

PRESENT:

WM. PENN, pro^r & Go^r, et ysdem ut antea.

Henry Elfreth wt Henry flower, his Uncle's exer., wt Griffith Jones, appeared according to an ord^r of Council 11th 7br., 1700, and having been fullie heard, y^e finall determinacon yrof was deferred till y^e Go^r & Council return from N. Castle.

Adjourned to 11th instant.

11th Octob^r, 1700.

Att a Council Held att philad. die Veneris, 11th instant.

PRESENT:

WILLIAM PENN, propor. & Governo^r.

Samⁿ Carpenter,
Edw^d Shippen,

Griffith Owen,
Caleb pussey,

Thomas Storie,
John Moll.

Humphrey Morrie, upon y^e Gor's. call by y^e mess^r of the Council, ap. subt y^e Qualificaon of a Councillor & took his place at the board.

—— Smith, father to —— Smith, now in goal upon susption of a rape Committed on ——, desired his son might be bailed; wherupon the attornie general being heard for y^e king, & David Lloyd for y^e sd Smith, Itt was by y^e Gor & Council Ordered y^t hee continou prisoner till y^e pror. & Gor's return from y^e Ass. att Newcastle, to be held there y^e 14th instant.

Adjourned till y^e Gor's Return from N. Castle.

*There were many Councils further held att y^e Town of Newcastle, and a great number of Laws past wth the Assembly there, before J. Logan was appointed Clerk of y^e Council, and therefore he knows not what became of them.

PROVINCE OF PENNSILVANIA & TERRITORIES, SS.

Minutes of Council in the Assembly, Anno Ri. Rs. Gulielmi tertij Angliæ, &c. decimo.

25th January, 1699--700.

Att a Council Held att philadelphia die Jovis, 25th January, 1699--700.

PRESENT:

The Honble WILLIAM PENN, absolute proprietor & Governo^r in Chief of y^e province of pennsilvania & the Territories yrto belonging.

Sam ⁿ Carpenter,	Caleb pussey,	Jn ^o Hill,
Edward Shippen,	phin. pemberton,	Rich ^d Halliwell,
David Lloyd,	Wm. Rodeney,	William Biles,
Wm. Clarke,		Pat. Robinson, Secry.

The Sheriff of the Countie of Newcastle his Return of a writt directed to him from y^e pror. & Go^r for the election of representatives for sd Countie, to assist him in an assembly, to meet this day, was produced, whereby itt appeared that ther were elected for Council Rich^d Halliwell & Rob^t French, & for Assembly John Healy, Adam peterson, Wm. Guest and Wm. Houston.

Upon reading the petion of Cor. Empson & Jn^o Grubb, in behalf of ymselves & others, in number 29, on y^e south & north side of Brandywine Creek in sd Countie, setting forth, That notwtstanding y^e pror. & Go^r, wt advice of his Council, had Issued his writt for election of 2 members to serve in Council & 4 in Assemblie, in Ordr to repair y^e Loss & disadvantage y^e sd Countie had brought ymselves under by not electing in March Last, yet the pers. have not had the least notice given ym of any such writt nor time of election, from any known officer, & y^e an election was made att Newcastle y^e 20th instant, by some of the other 100th, & yrfor y^e pers. have just cause to say y^e such as have been so elected are none of y^e representatives, & yrfor requesting relief, by allowing ym a free vote & election of y^e Legislators, &c.

Wessell Alriches, Sherif of sd County, having been called to ans^r

*This paragraph is in the hand writing of J. Logan.

for himself, who appearing, declared y^t in his owne pson hee went to y^e Lower pts of y^e Countie & sent his deputie to y^e upper, & y^t both were outt some days in giving notice to y^e people, & if there was any Shortness it was to be imputed to his depty & not to him, who could not be in 2 places att once, & to the shortness of time & severitie of y^e weather and danger of travelling.

Therafter the Gor acquainted y^e pers that the Sherif should be punish't for his neglect, & y^t nothing was intended to be done this assembly but y^e passing of a law agt pirats & unlawll trade, wch hee hop'd all wold concurr in, & y^t there was no design to make any other for raising of monie or otherwise, & yrfor, hop'd they wold acquiesce in the choice made, & by passing y^e sd two Laws ans^r the psent emergencie, & y^t a minute should be made that it should not be drawn into a president for the future.

Resolved that the accepting of the return of the said writt, and of the psons yrin returned to serve, should by no means be drawn into a president for the future, & y^t the sd sheriff be att y^e mercy of y^e pror & Gor.

Jn^r Healy, Adam peterson, Wm. Guest & Wm. Houston, returned to serve as representatives in Ass. for sd Countie, appeared befor y^e Go^r & Council & wer qualified according to law. Also, Hen Molleston & Wm. Dyre for the Countie of Sussex, who had been absent 10th May last.

The pror & Go^r desired y^e secrie to acquaint the house of representatives y^t hee waited for ym. John Blunston, who had been choosen their speaker in May Last, appeared wt all the representatives, To whom y^e pror & Go^r said:

"Friends, Had the psent emergencie of calling you att such a season of the year concerned me only, I should not have done it till y^e usual time, but since it concerns y^e Crown in two verie considerable cases, recommended to me by y^e Lo's Justices of England to reinforce & Improve y^e Laws already made agt piracie & illegal trade, I have yrfor desired to see you att this time to pass two such Laws, & for no other end; I shall deferr other things to the usual time of meeting in y^e 3^d mo. next." And withal, y^e pror & Go^r told ym hee wold appoint 5 members of Council to join a Comittee of ass. to prepare y^e bill agt pirats, & other 5 to join a Comittee of Ass. to prepare y^e bill agt illegal trade, & desired y^e Ass. to do y^e same.

The pror & Go^r appointed Edwd Shippen, David Lloyd, ph. Pemberton, Wm. Rodeney & Caleb pussey, to join a Comittee of Ass. to prepare y^e bill agt pirats. And Sam^r Carpenter, Wm. Clark, Richd. Halliwell, Wm. Biles & Jn^r Hill, to join a Comittee of ass. to prepare y^e bill agt illegal trade, & to meet y^e Comittees of Ass. rexivelie att 8 in y^e morning, & desired y^e secrie to acquaint y^e ass. yrwith; which hee accordinglie did.

Adjourned to 26th, Hora 10, A. M.

[26^h January, 1699--700.

Att a Council Held att philadelphia die Veneris, 26^h January, 1699--700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem decem ut antea.

Wm. Clark, chairman of y^e Committee appointed to prepare y^e bill ag^t illegal trade, exhibited some amendm^{ts}, Improvm^{ts} of & addions to y^e former Law ag^t Illegal trade, y^t w^{er} considered by sd Committee, but requested further time to put ym in form, wch was granted to 27^h instant, 10 A. M.

Adjourned to 27^h instant, 10 A. M.

[27^h January, 1699--700.

Att a Council Held att philadelphia die Sabbathi, 27^h January, 1699--700.

PRESENT:

WM. PENN, pror & Go^r, et ysdem decem ut antea.

Wm. Clark, Chairman aforesd, exhibited to y^e Go^r & Council some Amendts & improvts of & addions to y^e former Law for pvent-ing illegal trade, & David Lloyd, Chairman of y^e Committee appointed to prepare y^e bill ag^t pirats, also exhibited to ym some amendm^{ts} & improvm^{ts} of & addions to y^e former Law ag^t pirats; both wch having been debated in Council, some further improvments w^{er} considered of, & it was Left to y^e members of each Committee to prepare a draught of the reuxe bills Comitted to ym by 29^h instant, 10 A. M.

Adjourned to 29^h instant.

[29^h January, 1699--700.

Att a Council Held att philadelphia die Lunæ, 19^h January, 1699--700.

PRESENT:

WM. PENN, pror & Go^r, et ysdem decem ut antea.

David Lloyd, Chairman of y^e Committee appointed to prepare y^e bill ag^t piracie & pirat, exhibited a draught yrof, wch, after a Large de-bate, was Left to y^e further Consideration of y^e s^d Committee.

Adjourned to 31^h instant.

31st January, 1699-700.

Att a Council Held att philad. die Mercury, 31st Janry, 1699-700.

PRESENT:

WM. PENN, pror & Gor, et ysdem decem ut antea.

Isaac Norris & Rich^d Hough, from y^e Representatives, desired y^e Go^r to appoint some of y^e members of Council to meet wt some of y^e house, to Conferr wt & satisfie ym about some Clauses in y^e sd bill of piracie. The pror & Go^r appointed Wm. Clark, David Lloyd & Caleb pussey, to meet some of y^e house of representatives att the house of Isaac Norris.

Adjourned to 1st Febyr, 1699-700.

1st February, 1699-700.

Att a Council Held at Philadelphia die Jovis, 1st February, 1699-700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem decem ut antea.

Wm. Clark, Chairman of the Comittee appointed to prepare a Bill ag^t illegal trade, exhibited a draught yrof; a great part qrof having been read & debated, the Go^r

Adjourned to 2^d instant.

[2^d February, 1699-700.

Att a Council Held att philadelphia die Veneris, 2^d Febyr, 1699-700.

PRESENT:

WM. PENN, pror & Go^r, et ysdem decem ut antea.

The Remaind^r of sd Law ag^t Illegal trade being read & debated, & some objections being made yrto, The pror & Go^r appointed Edwd Shippen, Wm. Clark & Sam^l Carpenter, to draw y^e claus yrof relating to kent Countie by 4 post M.

The House of Representatives, by Anthony Morris & Isaac Norris, acquainted the Go^r & Council y^t they had read y^e Law ag^t piracie twice, y^t had been sent ym, & wer satisfied yrwt, excepting y^e claus yrof prohibiting trade wt Madagascar.

The Council moved to y^e pror. & Gor that there be a clause inserted in y^e bill ag^t piracie, to indemnifie all those who have traded or had Commerce with some old privateers y^t some years agoe came in & surrendered ymselves upon the Jamaica proclamaon, & yt had protections & permitts from the nighbouring governmts. The pror.

assented yrto, & appointed David Lloyd, phi. pemberton and Wm. Biles to prepare & draw up y^e sd clause.

Adjourned to 3^d instant.

[3^d February, 1699-700.

Att a Council Held att philadelphia die Sabbathi, 3^d Febry, 1699-700.

Isaac Norris & Wm. Dyre, from the Ass. acquainted y^e Gor & Council y^t they had pused y^e bill ag^t Illegal trade, & had some 'objections to make ag^t it which they thought wold be best answered in a Conference of both houses wt y^e Go^r.

The pror. & Gor yrupon desired by these 2 members y^e ass. to repair to him & Council to Conferr about & ans^r y^e sd objections.

Adjourned to 5th instant.

[5th February, 1699-700.

Att a Council Held att philadelphia die Lunæ, 5th Febry, 1699-700.

PRESENT:

WILLIAM PENN, pror. & Governor.

Sam ⁿ Carpenter,	William Biles,	William Clark,
Edward Shippen,	Richd Halliwell,	Caleb pussey.
phin. pemberton,	John Hill,	

The pror. & Go^r appointed Wm. Clark, Samⁿ Carpenter, David Lloyd, Rich^d Halliwell, ph. pemberton & Wm. Rodeney, to be a Committee of Council to join a Committee of ass. to abridge y^e sd Law, by to-morrow morning.

Adjourned to 6th instant.

[6th February, 1699-700.

Att a Council Held att philadelphia die Martis, 6th Febry, 1699-700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

Wm. Clark, chairman of sd Committee, brought in the Bill ag illegal trade abridged, wch was read & sent to the Assembly.

Adjourned to 7th instant.

[7th February, 1699-700.

Att a Council Held att philadelphia die Mercury, 7th February, 1699-700.

PRESENT:

WM. PENN, &c., et ysdem ut antea.

Anthony Morris & Isaac Norris from y^e ass. returned y^e bill of piracie, desiring y^e Go^r & Council to satisfie ym about y^e claus yrof prohibiting trading to Madegascar: The Go^r desired a Conference wt y^e house to morrow-morning, about y^e sd clause.

Adjourned to 8th instant.

[8th February, 1699-700.

Att a Council held att philadelphia die Jovis, 8th February, 1699-700.

PRESENT:

WM. PENN, pro^r & Go^r. et ysdem ut antea.

The Go^r desired the seerie to acquaint the ass. y^e hee & Council waited for ym, to Conferr about y^e claus of y^e act ag^t piracie, prohibiting trade wt Madagascar & Nataall. The House of ass. appeared, wt whom a Conference was had about trading to Madagascar & Nataall. It was Resolved y^e it should be prohibited for three years.

Adjourned to 9th instant.

[9th February, 1699-700.

Att a Council Held att philad. die Veneris, 9th instant.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The ass. by Anthony Morris & Isaac Norris, 2 of y^e members. sent to y^e Gor and Council two Laws for their assent.

Adjourned to 10th instant.

[10th February, 1699-700.

Att a Council Held att philadelphia die Sabbathi, 10th Febr'y, 1699-700.

PRESENT:

WM. PENN, pro^r & Go^r, et ysdem ut antea.

The pror & Go^r desired Wm. Biles & Jno. Hill to acquaint y^e ass. y^r hee & Council waited for ym, who returned ans^r y^r they wold attend him speedily.

The ass. appearing, The pror & Go^r told ym y^r yesterday hee had received from ym two bills wch had past yr house, wch hee desired the secrie to read over three times distinctlie. Afterwards they wer by the Gor & Council assented to, viz: The first entituled, An act ag^t pirats & privateers: The other an act for preventing frauds & abuses in trade wthin y^e province of pennsylvania & Counties annex^t; and did underwrite each bill in these words—viz: philad. 10th 12th mo., 1699-700. This Bill being 3 times read was assented to by me, Wm. Penn, Locus privati Sigilli provinciae.

Therafter the pror & Go^r proposed to y^e Council & ass. y^r hee intended to call y^e next genrl ass. according to Charter, att the usual & annual time; To which the members of ass. by the Speake^r, declared y^r satisfaction therewith. Then y^e pror & Go^r ask^t the ass. whether they had anie other bussines for him att this time, who answered no. Then he said, Gentl, you are dissolved, & I hereby dissolve you. They thank^t y^e Gor & departed.

The end of the 7th ss. of Council & Assembly.

MINUTES OF COUNCIL, Anno Ri. Rs. Gulielmi tertiy Angliæ,
&c., Undecimo, for promulgaon.

[30th March, 1700.

Att a Council Held att philadelphia Die Sabbathi, 30th day of March, 1700.

PRESENT:

THE Honble WM. PENN, Absolute pror & Go^r in Chief of y^e province of Pennsylvania & y^e territories yrto belonging.

In respect y^r there appeared onlie Sam^l Carpenter, Edw^d Shippen & Gr. Owen, returned as representatives in Council by y^e Sheriff of philadelphia, David Lloyd, Caleb pussey & Jno. Simcoke returned as such by y^e sheriff of Chester, The pror & Gor.

Adjourned to 1st April, 1700.

[1st April, 1700.

Att a Council Held att philadelphia die Lunæ, 1st April, 1700.

PRESENT:

WM. PENN, pror. and Governo^r.

The Sheriff of y^e Countie of Bucks His return of representatives in Council was produced, qrb^y it appeared y^t ther wer elected Joseph Growdon for 3, Wm. Biles for 2, & Rich^d Hough for one years.

The Sheriff of philadelphia Countie his Like return was produced, qrb^y it appeared y^t ther wer elected Sam^l Carpenter for 3, Edward Shippen for 2, & Griffith Owen for one years.

The Sheriff of Chester Countie his Like return was produced, qrb^y itt appeared David Lloyd for 3, Caleb pussey for 2, & Jno. Simcoke, for one years.

The Sheriff of Newcastle Countie his Like return was produced, qrb^y itt appeared that there wer elected Richd. Halliwell for 3, John Donaldson for 2, & Jasper Yeates for one year.

The Sheriff of kent Countie his Like return was produced, qrb^y it appeared that there wer elected Jn^r Walker for 3, Henry Molleson for two, & Thomas Bedwell for one year.

The Sheriff of y^e Countie of Sussex his return of representatives was produced, qrb^y itt appeared y^t y^r wer elected Sam^l preston for 3, Jn^r Hill for 2, & Tho. ifenwick for one year.

The abov returned psons, excepting those for kent Countie, appearing, subt. the Qualificaon following, viz: pennsylvania, 1st 2^d mo., April, 1700, "We severallie, & each of us for o^rselves, do sincerely "promise & declare as solemlie as if wee took an oath, y^t wee will "be true & faithfull to y^e king & Crown of England, & to Wm. "Penn, pror & Go^r of y^e province of pennsylvania & territories y^rto "belonging, & his heirs, according to y^e Lres patent granted to him "by king Charles y^e 2^d, und^r y^e great Seal of England," & took their places att y^e board, and so y^r wer

PRESENT:

Joseph Growden,	Griffith Owen,	John Donaldson,
William Biles,	David Lloyd,	Jasper Yeates,
Rich ^d Hough,	Caleb pussey,	Sam ^l preston,
Sam ^l Carpenter,	John Simcoke,	John Hill,
Edward Shippen,	Rich ^d Halliwell,	Tho. Fenwick.

Then the pror & Go^r said: "Friends, Tho' this be a Colonie of 10 "years standing, & not inferiour to anie of its age, yet wee have "much to do to establish its constituon & Courts of Justice; there "are in it some Laws obsolete, others hurtfull, others imperfect, y^t "will need improv^{mt}, & it will be requisit to make some new ones; "wee cannot go to slow to make, nor too fast to execute them when "made, & y^t wth diligence & discretion, a few well made & duly exe- "cuted, will better ans^r y^e ends of govern^{mt} yn a greater bulk unexe- "cuted. You friends are ye people's choice & my Council; you'll "see what Laws are fitt to be Left outt & what to be made, & you "wth mee, are to prepare & propose ym. I say this the rather becaus "of a false notion some have gott y^t becaus you are my Council

"yrfor you are not y^e people's representatives. The ablest men have
 "always been chosen to be of y^e Council to prepare Laws, & y^e
 "Assembly to consent to ym; wee are two bodies yet but One power,
 "the one prepares, y^e other consents. Friends, If in the Constituon
 "by Charter, there be anie thing y^t jarrs, alter itt; if you want a
 "law for this or that, prepare itt; I advise you not to trifle wt
 "govern^t. I wish there wer no need of anie, but since Crimes
 "prevail govrm^t is made necessar^y by man's degeneraon; Itt's
 "not an end but a means; hee y^t thinks itt an end aims att
 "proffit to make a trade on't. Hee who thinks itt to be a means
 "understands y^e true end of govrm^t. Friends, away w^t all ptes, &
 "Look on yo'selves & what is good for all, as a bodie politick, first
 "as und^r y^e king & Crown of England, & next as und^r me, by Lres
 "patent from y^t Crown. Att y^e Late election att philadelphia, I was
 "grieved to hear some make itt a matter of religion; no its humane
 "& moral relating to trade, traffique & publick good, consisting in
 "virtue & justice; where these are maintained there is government
 "indeed. Study peace, & be att unitie, ey y^e good of all, & I desire
 "to see mine no otherwise than in y^e publick's prosperitie. The
 "last Ass. wee made 2 Laws, the one ag^t piracie, y^e other ag^t for-
 "bidden trade. I hear they have not satt easie on y^e backs of some,
 "but I hope, wee having yrin been carefull of England, wee shall
 "have thanks for making ym before wee had orders so to do, and
 "after so manie calumnies & complaints wee have been Loaded
 "with, I hope these two Laws will in some degree wash us clean;
 "what concerns myself I also Leave wt you to Consider. I have
 "been now 19 years yo^r pror & Governo^r, & have att my chairage
 "maintained my deputie, qrby I have much worsted my estate, &
 "hope itt will be no wonder to any to hear mee make this Llection
 "of itt. Some say I come to gett monie & be gone, phapps they that
 "say so, wish itt so. I hope I or mine shall be wt you, while I or
 "they Live—The disasters of my absence have been mine as well
 "as yours, & as I'm used shall make suteable returns. I have
 "latelie two packetts from Whitehall, an original & a duplicate;
 "also one to my Cosen Markham, & two from Secrie Vernon, & am
 "Comanded by y^e Lords Justices to make Laws ag^t piracie & illegal
 "trade. I am glad wee have prevented their Commands in doing it
 "before they came."

Therafter, a motion being made by a member of Council, that
 they might have a new Charter: Then y^e pror & Gor ask't whether
 they thought the Charter was Living, dead or asleep; is it vacated by
 y^e act of Settlement, or in what state is itt. A member made ans^r,
 that they never Look't on't to be void or dead, becaus att Go^r Fletcher's
 coming, wee made a salvo of it in y^e assemblie books, & another
 salvo of it in y^e frame of govrm^t, as to its fundamentalls, but y^e Cir-
 cumstantialls of itt as to time, place & number, & rotation, wee could
 not reassume. Our bussines now is to do good, y^e Go^r being here to
 confirm itt, & he having in his Charter, power to call us as hee pleases,
 ye manner is but circumstance, the meetting is essential; Letts take

what's fitt & good both in y^e charter & frame, & Lett's make a Constitution yⁱ may be firm & Lasting to us & ours; This makes no breach on the old Laws, but will confirm what's reasonable, both in ym, y^e charter & frame.

Then y^e Go^r said: The act of Settlemt^t served till I came; now I'm come, It Cannot bind me ag^t my owne act, the charter it being my grant, & the people my wittness by yr acceptaon of it, and tho' some violence cannot be resisted, yet when the violence is taken off, y^e Charter returns, & how can it return but by writt.

Therafter y^e pror & Gor resolved y^e whole members of Council into a grand Committee, to meet hora tertia, p. m., to read y^e Charter & frame of governm^t, & to keep what's good in either, to lay aside what's inconvenient & burdensome, & to add to both what may best suit y^e Comon good, & if you be under any doubt Ile solve itt, & psent to mee what you do yrin to-morrow morning for my perusall.

Adjourned to 2^d April, 1700.

[2^d Aprill, 1700.

Att a Council Held att philadelphia die Martis, 2^d Aprill, 1700.

PRESENT:

WM. PENN, pror & Go^r, et ysdem ut antea.

Joseph Growdon, Chairman of y^e grand Comittee appointed to inspect & puse y^e charter, & frame, &c. made report y^t they had pused both, & had made some alteraons in, diminutions from, & additions to both, wch wer read & had mark't outt y^e ss. (but had not time to writ ym out fair,) & deliverd ym to y^e Go^r for pusall.

Then he desired y^t all y^e Laws from y^e first settlemt of y^e province might be read over by y^e secrie; accordinglie some of ym were.

Adjourned to 3^d instant.

[3^d Aprill, 1700.

Att a Council held att Philadelphia die Mercury, 3^d Aprill, 1700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The pror & Gor desired y^e secrie to begin where hee Left in reading y^e Laws; accordinglie some more of ym wer read.

Adjourned to 3 p. m.

The pror & Gor desired y^e secrie to begin qr hee Left A. M. in reading the Laws, & y^e rest wer read over by y^e secrie.

Then y^e pror & Gor resolved all y^e members of Council into a grand Committee, to meet to-morrow morning at 9, to read & consider y^e sd Law, & to keep what was fitt, to Lay aside what was inconvenient, & add such new ones as they thought meett.

Then hee proposed to ym y^e necessitie of a Law for regulating Courts of Justice, & y^e pleas to be held there, provincial Courts & appealls, about y^e marriages of negros, how to be punisht & tried, ag^t selling rum to y^e Indians, To restrain sickly vessells from Landing y^e passingers for some time, & for y^e better observaon of y^e Sabbath or Lord's day, & to make report to-morrow morning.

Adjourned to 4th instant.

An a Councill held att philadelphia die Lunæ, 5th April, 1700.

[4th April, 1700.

Att a Council Held att philad. die Jovis, 4th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Joseph Growden, chairman of sd Committee, reported y^t they had made some small progress in pusing y^e Laws, but feared should not have time to go thorow all, being Long & tedious, but desired more time; wch was granted.

Adjourned to 5th instant.

[5th April, 1700.

Att a Council Held att philad. die Veneris, 5th instant.

PRESENT:

WM. PENN, pror & Go^s, et ysdem ut antea.

Joseph Growdon, chairman aforesd, reported y^t they found great difficultie in pusal of y^e Laws, & y^t they could not in so short time go thorow ym, & desired Longer time; which was granted.

Adjourned to 6th instant.

[6th April, 1700.

Att a Council Held att philadel. die Sabbathi, 6th April, 1700.

PRESENT:

WM. PENN, pror. & Go^s, et ysdem ut antea.

Joseph Growdon, chairman of y^e grand Committee of y^e whole members of Council, appointed to prepare some Laws, psented to y^e pror

Then y^r prior & Gov^r resolved all y^r members of Council into
Grand Committee, to meet to-morrow morning at 9, to read & consider
y^r ad law, & to keep what was fit to lay aside what was inconve-
nient, & add such new ones as they thought meet.
Then he proposed to y^r necessity of a Law for regulation
Court of Justice, & y^r place to be held there. provincial Court
& appeals, about y^r marriages of negroes, how to be punished tried
ag^t selling run to y^r Indians. To restrain sickly vessels from land-
ing y^r passengers for sometime, & for y^r better observation of y^r Sab-
bath or Lord's day, & to make report to-morrow morning.
Adjourned to 4th instant.

[4th April, 1700.

An a Council Held at philad. die 4th instant.

PRESENT:

WM. PENN, prior & Gov^r, et y^rdem ut antea.

Joseph Growden, chairman of ad Committee, reported y^r they had
made some small progress in passing y^r laws, but feared should not
have time to go thorow all, being long & tedious, but desired more
time; wch was granted.
Adjourned to 5th instant.

[5th April, 1700.

An a Council Held at philad. die 5th instant.

PRESENT:

WM. PENN, prior & Gov^r, et y^rdem ut antea.

Joseph Growden, chairman aforesd, reported y^r they found great
difficulty in passal of y^r laws, & y^r they could not in so short time
go thorow y^m & desired longer time; which was granted.
Adjourned to 6th instant.

[6th April, 1700.

An a Council Held at philad. die Sabbath, 6th April, 1700.

PRESENT:

WM. PENN, prior & Gov^r, et y^rdem ut antea.

Joseph Growden, chairman of y^r grand Committee of y^r whole name
parts of Council, appointed to prepare some laws, presented to y^r prior

& Go^r a paper containing some Heads of a Law for securing y^e people's propertie.

The pror & Gor again recomended to ym the Consideraon of all the Laws; what should drop, what be Continued, & some heads of new Laws to be made, formerlie recomended to ym.

Adjourned to 8th instant.

[8th Aprill, 1700.

Att a Councill held att philadelphia die Lunæ, 8th April, 1700.

PRESENT :

WM. PENN, pror & Go^r, et ysdem ut antea.

Thomas Bedwell, a membr of Council returned for kent Countie, for one year, appearing, sub^t y^e above sd qualificaon & took place att y^e board.

The pror & Gor proposed to the Council y^e Consideraon of y^e law about y^e provincial Judges & Court, y^t it might be made more easie & less expensive.

Joseph Growdon, chairman aforesd, psented to y^e pror & Gor some heads of a Law for raising 3^d p ll & 18^d p poll, as a testimonie of y^e respect to him, & being sensible itt was not ansrable to what he deserved, yet y^e Countrie being poor & in debt, hop'd hee wold accept of itt for y^e present; also, 1^d p li & 6^s p poll, for defraying y^e debts & for support of governmt, which the Gor said hee wold consider.

Adjourned to 9th instant.

9th Aprill, 1700.

Att a Council Held att philadelphia die Martis, 9th instant.

PRESENT :

WM. PENN, pror. & Governor, et ysdem ut antea.

The pror & Gor psented to the Council a draught of a Law about arbitraons, another about Surveyors; wch wer read & recomended to sd Committee.

Adjourned to 10th instant.

10th Aprill, 1700.

Att a Council held att philad: die Mercury, 10th instant.

PRESENT :

WM. PENN, pror & Go^r, et ysdem ut antea.

& Go's paper containing some Heads of a Law for securing people's property.
The prior & Gor again recommended to the Council the Laws; what should drop, what be continued, & some Heads of new Laws to be made, formerly recommended to him.
Adjourned to 8th instant.

[2nd April, 1700.
At a Council held at Philadelphia the 2nd April, 1700.

PRESENT:
WM. PENN, prior & Go, et ydem ut antea.
Thomas Bodwell, a member of Council returned for Kent County for one year, appearing, sub. y. above ed qualitates & took place at y. board.
The prior & Gor proposed to the Council y. Consideration of y. about y. provincial Judges & Court y. it might be made more easy & less expensive.
Joseph Growdon, chairman aforesd, presented to y. prior & Gor some Heads of a Law for raising 2^d p. li & 1st p. li, as a testimony of respect to him, & being sensible it was not agreeable to what he desired, yet y. Country being poor & in debt, he'd bee wold accept of it for y. present; also, 1st p. li & 6th p. li, for defraying y. debt & for support of government, which the Gor said hee wold consider.
Adjourned to 6th instant.

9th April, 1700.
At a Council Held at Philadelphia the 9th instant.

PRESENT:
WM. PENN, prior & Governor, et ydem ut antea.
The prior & Gor presented to the Council a draught of a Law about arbitrators, another about Surveys; wch. wer read & recommended to ad Committee.
Adjourned to 10th instant.

10th April, 1700.
At a Council held at Philadelphia the 10th instant.

PRESENT:
WM. PENN, prior & Go, et ydem ut antea.

The matter of y^e people's proptie, & the securing yrof, either by a Court to be erected by y^e pror & Go^r, or by grants from him, or by a Law for y^e purpose to be made, & about the Overplus Lands, being att large debated, was left to y^e further consideraon of y^e Gor & Council, and y^e pror Gor appointed John Simcoke, Joseph Growdon & Wm. Biles to meet him att night to consider yrof, & as neer as might be, to adjust y^e rates of overplus Lands, according to their nearness to or remoteness from y^e town of philadelphia.

Adjourned to 11th instant.

[11th Aprill, 1700.

Att a Council Held att philad.^e die Jovis, 11th instant.

PRESENT :

WM. PENN, pror & Go^r, et ysdem ut antea.

In respect some of y^e members of Council wer provincial Judges & now sitting in Court, & y^e abov named not having had time to conferr so as to adjust y^e rates of y^e overplus Lands, The pror & Gor.

Adjourned to 4 post merid.

Att wch time y^e pror & Go^r (upon a proposon to him made by a member of Council to prolong y^e time of Sessions of Gor, Council & assemblie for a Longer time ym was usual,) who brought in a draught of a bill for y^e end, wch having been debated, Itt was agreed to be brought in again y^e 12th instant, wth some improvments & amendments.

Adjourned to 12th instant.

[12th Aprill, 1700.

Att a Council Held att philadelphia die Veneris, 12th instant.

PRESENT :

WM. PENN, pror & Go^r, et ysdem ut antea.

The sd Law, with improvments & amendmts, was exhibited by y^e pror & Gor to y^e Council, entituled a Law to be promulgated to Continue y^e present ss. of Council & ass. 20 days beyond y^e usual time by Charter Limited: & being by the Secrie three times read over, Upon the Question putt, all you that are of opinion y^e this Law pass here in order to promulgaon stand up, Itt was Carried in the affirmative, Nemine Contradicente.

Then the pror & Gor ordered y^e Secrie to send a Copie yrof, signed by Him, to y^e rexive Sheriffs of y^e Six counties, to be by ym rexive promulgated.

MINUTES OF COUNCIL IN THE ASSEMBLY, Anno Ri. Rs.
Gulielmi tertii Anglia, &c. decimo, &c.

[10th May, 1700.

Att a Council Held att philadelphia die Veneris, 10th of May, 1700.

PRESENT:

The Honble WILLIAM PENN, absolute proprietor & Governo^r in Chief of y^e province of pennsylvania & the Territories thereunto belonging, &c.

Sam ^l Carpenter,	Joseph Growdon,	Caleb pussey,
Edw ^d Shippen,	Rich ^d Hough,	David Lloyd,
Griffith Owen,	Jn ^o Simcoke,	Rich ^d Halwell.

The Sheriff of Bucks Countie his return of Representatives for ass. was produced, whereby it appeared y^t ther wer elected Jn^o Swift, phineas pemberton, Joshua Hoops, Wm. paxton, Jeremiah Langhorne, Sam^l Darck.

The Sheriff of philadelphia County his return was produced, qrbv it appeared that y^t wer elected Jn^o Bevan, Anth. Morris, Nich Waln, Is. Norris, Sam. Richardson, Jn^o parsons.

The Sherif of Chester's retn was produced, & ther wer elected Jn^o Blunston, Rob^t pyle, Richard Orms, Jn^o Hood, Sam. Lewis, Henrie Lewis.

The Sherif of Newcastle's retn was produced, & there wer elected Adam peterson, Joseph England, Richd Cantwell, Rob^t French, Val. Holingsworth, Wm. Houston, who subt y^e same Qualificaon y^t y^e membris of Council subt. 1^o April, 1700; and y^e other representatives not being yet come to town,

Adjourned to 13th instant.

[13th May, 1700.

Att a Council held att philad: die Lunæ, 13th May, 1700.

PRESENT:

WM. PENN, pror & Go^r, et ysdem & Jasp. Yeates, Jn^o Donaldson, Sam Preston, Jn^o Hill, & Tho. Fenwick.

The Sheriff of kent's retn was produced, & y^t wer elected Wm. Morton, John Brinklo, Richd Wilson, Gr. Jones, Arthur Meston, Wm. Rodney.

The Sheriff of Sussex's retn was produced, & y^t wer elected Joseph Booth, Thomas pemberton, Luke Watson, jr. Tho. Fisher, Art. Vankirk, Robt. Burton, who subt. y^e same Qualificaon as above.

Then y^e Go^r desired y^e members of Ass. to depart and choose y^e Speaker.

After some time John Blunston, accompanied by y^e whole house of representatives, appeared before y^e Go^r & Council, acquainting ym that they had made choice of him for y^e Chairman, a pson verie unfit att such a time where matters too weightie for his capacitie wer to be considered, & yr^r desired to be excused if it could be, & if not, y^e y^e pror & Go^r wold be pleased to putt a favorable Construction on his words, & y^e the ass. might have freedom of speech & access to his pson; wch was granted. Then y^e Go^r said: Friends: * * *

* * * * *

Wm. Rodney & R^e pyle, from y^e ass, desired a sight of one of the writts qrb^y this ass. was called, & y^e promulgated Bill; which y^e Secrie delivered to ym.

The pror & Gor desired y^e Secrie to read y^e bills wch hee had prepared about tradeing wt y^e Indians, & arbitraons, & after some debate on both, and then Resolved y^e Council into a Comittee of y^e whole members yrof, to consider y^e same, & to make report.

Adjourned to 4 p. m.

At which time Antho. Morris & Jn^e Bevan, from y^e Ass. acquainted y^e Gor & Council y^e y^e Ass: desired a free conference wt y^e Council members; which y^e Gor granted. Then y^e Speaker, accompanied as before, appearing, desired y^e hee or anie others of y^e Ass: might speak yr minds; wch y^e Gover granted: some of ym wer of opinion y^e they wold pass y^e promulgated Bill for y^e prolongation of y^e time of this ss, provided y^e y^e rafter they went on to settle y^e constitution of y^e govrnt wtout y^e intervention of any other bussines; To wch y^e Gor assented; And in ord^r yrto, resolved y^e members of Council to be a Comittee to join a Comittee of y^e whole house of representatives, to meet to-morrow morning to read y^e Chart^r & frame, & to Consider of the Constitution of y^e govrnt, & desired Jasp. Yeates & Caleb pussey to acquaint y^e Ass. y^e with, y^e they might do y^e same.

Adjourned to 14th instant.

[14th May, 1700.

Att a Council held att philad. die Martis, 14th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Coll. Rob^t Quarrie, Judge of y^e Court of admiraltie for pennsylvania, accompanied wt Jn^e Moor, advocat of sd Court, exhibited a charge ag^t David Lloyd, one of y^e Council elected for Chester Countie, of Irreverent speeches & postures of & ag^t y^e broad seal of Eng.

land & y^e king's picture, & a tin box appended to y^e Lords of y^e admiraltie of England y^e Comission to Ro^t Webb, yn marshall of sd Court, in a Certain Court held att philad sometime Late past. To wch, after sd David Lloyd had made some answer, hee desired y^e charge might be exhibited ag^t him in writting und^r y^e charger's hand, wch was agreed to, & 4 p. m. assigned to sd Coll. Quarrie so to exhibite itt, wt y^e witnesses, for whom hee desired a Subpcena; which was granted.

Upon calling over y^e names of y^e members of Council, the 3 representatives for kent Countie wer found wanting, wtout whom y^e could but little be proceeded in, & y^e being no excuse made for ym. Itt was resolved y^e a wrr^t be issued by y^e Secrie, und^r y^e Gor's hand & seal of y^e province, directed to Henry Mallows, mess^r of y^e Council, forthwith to repair to y^e sd Countie of kent & bring ym up to ans^r y^e sd contempt, wch was done.

Adjourned to 3 p. m.

Att which time ph: pemberton & Ro^t French, from y^e Ass, acquainted y^e Go^t & Councill y^e y^e Ass: wer readie for him. The Gor told ym y^e hee & Council wold receive ym.

The Speaker acquainted y^e pror & Gor y^e they came to hear y^e old Charter and y^e Late frame of governmt read. The Gor ask^t him if they had past y^e Law given ym yesterday for y^e end. The Speaker ansred they had not, but sd they wold pass itt next morning.

Coll. Rob^t Quarry, accompanied as aforesaid, exhibited to y^e Gor & Council His memorial ag^t David Lloyd, in writting, und^r his hand. wch was read, and in these words, viz: To y^e Rt. honble Wm. Penn, esq, pror & Gor of y^e province of pennsylvania & y^e annexed Counties. The memorial of Coll. Robert Quarry, Judge of His maties Court of admiraltie for y^e provinces of pennsylvania & West Jersey, Represents to this board y^e hee is obliged, as well by his dutie owing to his most Sacred matie, & by the directions Latelie received from the Rt. honble y^e Lords of y^e plantaons & trade, as y^e trust lodged in him by virtue of his maties Letters patents und^r y^e broad seal of y^e High Court of admiraltie of England, to signifie y^e having already Laid before y^e board a charge of unparalleled misdemeanors & affronts offered ag^t his matie in some of y^e Courts of this province, by one David Lloyd, now & att y^e time a member of Council, and being required to reduce y^e same to writting wthin y^e space of few Hours, with the witnesses to prove the charge, In wch time the whole series of y^e affair, wt y^e aggravating Circumstances yrof, cannot so fullie be digested as the nature of the crime may require. However, in obedience to y^e said order, Hee Showeth: That sundrie goods & merdises being seized for Illegal Importaon, & Lodged in the marshall of y^e admiral's Custodie in the king's store, in the year 1698, & proferlie triable in the sd Court by virtue of several acts of parliamt, The sd David Lloyd did, in contempt of y^e sd Laws & Jurisdiction of y^e

sd Court, influence & advise the justices by force & arms, to force y^e goods outt of the sd store; That the sd David Lloyd did further advise & prosecute an action ag^t y^e sd marshall for the detainor of y^e sd goods, att the succeeding Countie Court, where y^e marshall being called to defend the sute, hee produced in his owne Justificaon His maties Lres pats, undr y^e broad seal of y^e High Court of Admiraltie, with the Judges warrt for y^e seizure aforesaid, which sd patent having in the frontis piece his most sacred maties effigies stampt, with the sd seal appendant, the sd David Lloyd, in a most insolent & disloyal manner, taking the sd Comission in his hand & exposing it to y^e people, did utter & publish these scurrilous & reflecting words following, viz:—what is this? do you think to scare us wt a great box (meaning y^e seal in a tin box) and a little Babie; (meaning y^e picture or effigies aforesaid;) 'tis true, said hee, fine pictures please children; but wee are not to be frightened att such a rate; & many more gross & reflecting expressions on his matie to y^e like effect. That att another time, att a Court of admiraltie, held in this town of philad, hee, y^e sd David Lloyd, in open Court, with a design to incense & irritate the people & expose y^e king's officers to their furie, did publickly say, that y^e Court did not sitt there by anie Comission from y^e king. That y^e sd David Lloyd, att a Council held in this town, (in Contempt of his maties authoritie Lodged in the sd Court of admiraltie,) did declare y^e whoever wer Instrumental or aniewise aiding in the erecting & encouraging a Court of admiraltie in this province, were greater enemies to the Liberties & priviledges of y^e people then those y^e established & promoted ship monie in king Charles the first's time, or to that effect. All wch several charges hee is readie to avouch & prove; so subscribed

ROBT. QUARRY.

As also, y^e sd Coll. Quarry produced some witnesses to prove y^e sd charge in its several branches, as by y^e depositions remaining on y^e files may appear, wherupon y^e sd David Lloyd desired of y^e Gor & Council time to putt in his ans^r in writting to y^e sd memorial, and to make his defence; To wch y^e Gor replied y^e this was not his trial but an examinaon, & when & wherever, or before what court soever hee should happen to have his trial, hee wold then have that granted him, & y^e this was but an examinaon to see whether what was Laid to his charge was of y^e weight to suspend him from being a repesentative of y^e people in Council, as was desired by Coll. Quarry.

Adjourned to 15th instant.

[15th April,* 1700.

Att a Council held att philad. die Mercury, 15th May, 1700.

*May.

PRESENT:

WM. PENN, pror & Go^r, et ysdem, except David Lloyd.

The pror & Gor ask't y^e opinion of y^e Council whether what was exhibited & proved ag^t David Lloyd, a member of this board, yester^e day, was sufficient ground to suspend him from sitting as a representative att this board upon y^e people's choice. Resolved, N. C. y^e it was—wherupon y^e pror & Go^r desired Joseph Growdon to acquaint David Lloyd that hee was suspended from sitting as a representative att this board till hee had his trial, & wer cleared or convicted.

Upon a motion made, y^e pror & Gor ordered y^e secrie to write to Wm. Biles, a representative in Council elected by y^e Countie of Bucks, forthwith to appear att this board to his dutie; which the secrie did.

Adjourned to 16th instant.

[16th May, 1700.

Att a Council held att philad. die Jovis, 16th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem & William Biles.

Tho. pemberton & Is. Norris, from y^e ass: acquainted y^e Gor y^e the assemblee desired admission; which was granted.

The Speaker, accompanied as aforesd, delivered to y^e pror & Gor. the promulgated Bill entituled The Law Continuing y^e psent sessions of Council & ass: 15 days beyond y^e usual time by Charter Limited, past y^e house, weh being read to The pror, Gor & Council, y^e same was past by ym, N. C.

Therafter y^e pror and Gor having laid upon both to Council & Assemblee, the nature of the psent Constituon, & y^e powers of both Council & Assemblee, Left y^e members of both houses to y^e grand Committee appointed for settling the constituon of y^e govrmt, & to bring in y^e report y^e 17th instant.

Adjourned to 17th instant.

[17th May, 1700.

Att a Council held att philad. die Veneris, 17th instant.

PRESENT:

WM. PENN, pror. & Governor, et ysdem ut antea.

Joseph Growdon, Chairman of y^e sd grand Committee of Council & ass: to whom was Left y^e Consideraon of y^e psent Constituon, & y^e powers of Council & Assemblee, & y^e settlemt of y^e new Constituon, Reported y^e they had Considered of some part yrof; that y^e

ass: should have y^e sole power of pparing & proposing bills to be past into Laws, & y^e whole powers of an ass, & y^e y^e Gor's Council shall be y^e people's choice, & y^e six shall be the number Constantlie to attend him on all emergencies, but had gone Little further yrin.

The pror & Gor made ans^r, that what hee expected from ym was that they should have prepared & exhibited to him y^e Charter they desired, & when hee had it all in a piece before him, Hee should soon tell ym what hee could not & what hee could grant ym. And yrfore desired y^e grand Committee to go together again & Consider what hee had laid before ym; by y^e time hee should return from penns-berrie; & Told ym y^e hee left y^e towa on purpose y^e in yr Committee they might meet w^t no interruption.

Adjourned to 24th instant.

[24th May, 1700.

Att a Council Held att philad. die Veneris, 24th instant.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The pror & Gor desired y^e secris to acquaint y^e ass, y^e hee & Council waited for ym; they returned they wold forthwith attend him.

The Ass: appearing, Joseph Growdon, chairman aforesd, psented to y^e pror & Go^r a draught of y^e Charter they desired. Hee sd hee wold peruse it, & in y^e meantime desired y^e grand Committee to meet again & go on w^t yr bussines.

Adjourned to 25th instant.

[25th May, 1700.

Att a Council Held att philad. 25th May, 1700, die Sabbathi.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor desired Caleb pussey & Nich. Walln to acquaint the ass: y^e hee waited for ym. They returned they wold speedilie attend him.

The ass: appearing, Jos. Growdon, chairman aforesd, acquainted y^e pror & Gor y^e they had much debate in y^e grand comittee about y^e oathes & test, & the manner of taking ym; as also about y^e charges of y^e provincial Council, but could come no agreem^t, wherupon y^e debates wer again re-assumed before the Governo^r.

Adjourned to 27 May instant.

[27th May, 1700.

Att a Council Held att philad. die Lunæ, 27th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The ass: appearing, To whom & Council, as a grand Committee, y^e pror & Go^d did again propose y^e matter of oaths, attest, & charge of provincial Council; and y^e same being att large debated,

Adjourned to 3 p. m.

Att web time y^e ass: again appearing, The pror & Gor proposed to ym a bill about y^e regulaon of Indian traders, wch hee referred to a Committee of both houses; also a bill about regulating negros, referred to another Committee of both houses; also a Bill about regulating Courts of Justice, referred to a 3^d Committee, & to bring y^e reports of y^e sd bills to-morrow morning.

Adjourned to 28th instant.

[28th May, 1700.

Att a Council Held att philad. die Martis, 28th May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The reuxe Chairmen of y^e sd 3 Committees brought in each of ym a draught of the reuxe bills recomended to ym.

Adjourned to 3. p. m.

Att web time y^e ass: appearing in a grand Committee, wt y^e Gor & Council, The bill about regulating Indian traders was read, considered and amended, & Gri. Jones appointed to draw it up fair by to-morrow morning; also y^e bill about regulating negros was read, considered & amended; also y^e bill about Regulating of Courts was read & considered, with its amendments, & given to sd Griffith Jones to be fair drawn up.

Adjourned to 29th instant.

[29th May.

Att a Council Held att philad. die Mercury, 29th instant.

PRESENT:

WM. PENN, pror & Governor, et ysdem ut antea.

The pror & Gor psented to the Council & ass: a Bill about a Court Barron, another about Confirmaon of free-holds, another about surveys, & appointed a Committee of 3 psons out of each Countie of y^e province, & of 3 out of each County of the territories, to be a Committee to consider of y^e sd 3 Laws.

Ad. to 30th.

30th May, 1700.

Att a Council Held att philad. die Jovis, 30th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The ass: being sent for, appeared, & Gri. Jones presented to y^e Go & Council the bills about regulaon of Courts & Indian traders, for yr consideraon.

Then y^e ass: requested they might go to y^e owne house to dispatch what Lay befor ym, to wch y^e Gor assented.

Adjourned to 31st instant.

[31 May.

Att a Council Held att philad. die Veneris, 31st May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Two members from y^e ass: desired y^e y^e ass: might be admitted. Granted.

John Blunston, accompanied by all y^e representatives in ass: appeared.

Upon reading y^e petition of Rob^t Turner & Joseph fisher, bearing date y^e 27th instant, Setting forth that att an ass: held att philad. 10th May, 1689, (qrof Ar. Cook deced, was speaker, & David Lloyd Clark.) there was a vote & resolve past ag^t y^e per. Rt. Turner, wtout a hearing or conviction by an insufficient number of y^e members yrof, viz: Ar. Cook, speaker, Hen. Waddy, Gr. Owen, Tho. Ducket, phi. pemberton, Sam^l Levis, Tho. paschall, Val. Hollingsworth, Edmd. Bennet, Richd. Martin, Nich. Blunston, Dan. Jones, Wm. Berrie, Wm. Manloue, Jn^o Walker, Ab. Opdegraeff, Is. Weldone, Rob^t piles, Jn^o Bartram, Jn^o Swift, That Wm. Markham, Rob^t turner, & Gr. Jones, who Issued forth y^e warrants ag^t Jn^o White, a member of y^e Ass, & y^e Jno Claypoole & Richd. Reynolds Sheriffs, who by colour of such wrt or wrtts, arrested & caried him away; as also y^e sd John Claypool, who,

wtout anie wrtt, during y^e sitting of sd ass: did arrest David Lloyd, knowing him to be Clerk yrof, are, & everie of ym is yrfor reputed violaters of y^e priviledges of Ass, & betrayers of y^e Liberties of y^e freemen of y^e sd province & territories, & yⁱ they ought to be made incapable of bearing anie publick office or place of trust in this govrmt; & yⁱ a wrtt be made outt & signed by y^e Speaker, directed to all high & pettie Constables, for bringing ym befor y^e sd ass: to ans^r y^e contempt & breach of priviledge aloresd: As also, setting forth yⁱ sd Joseph ffisher, (wt other members of that Assemblie,) having entered his protest ag^t a vote or resolve yrof, & yron absenting ymselfes, there was another vote & resolve past, That y^e sd Joseph ffisher, per. & the other absent members, are not worthie to be chosen again, or be intrusted as delegates. And also, setting forth yⁱ y^e sd rexive resolves, votes & sentences past yron ag^t y^e pers rexivlie, have not only proved much to their scandal, reproach, detriment, publick shame & disgrace, but may also to that of their posterities, if not now att last remedied, the same being yet standing in one of the most publick (as reputed) records of fame and Credit wtin y^e sd province & territories, and yⁱ by reason yrof, y^e pers. stand Liabie (at y^e will & pleasure of ill minded men) und^r this or any change of govrmt yⁱ may happen to be drawn into question for & about y^e same. And also setting forth, yⁱ y^e per. Rⁱ Turner, hath made manie modest & Christian pefions & applicaons to the succeeding assemblies, (Copies whereof are hereunto annexed) for a Hearing & trial, & hath Long waited att y^e posts of yⁱ doors; & pticularlie in May, 1690, hee, by a petition to yⁱ ass: then sitting att Newcastle, did sett forth yⁱ being informed of some votes past ag^t him last ass, & yn standing open upon their books, & yⁱ having inquired of severall of y^e sd number of 20 psons, about y^e same, they could give y^e per no informaon, being whollie Ignorant yrof, & yⁱ David Lloyd, yⁱ clerk, tho' often requested to give y^e per a Copie yrof, yet hee still refused, alledging his ord^r to the contrarie, & yrfor yn requesting to be brought to a trial. As also, in May, 1691, requesting yⁱ hee might Come to his trial & be found guiltie of or acquitted from sd Charge, especiaillie seeing some of y^e sd 20 members said to be yn psent & yr names affixt to y^e sd votes, denied yt they ever knew anie thing directlie or indirectlie of such a vote or resolve ag^t y^e sd Rⁱ Turner. As also, setting forth yⁱ by a Lett^r of 24th May, 1690, y^e per. Rⁱ Turner, had acquainted y^e pror & Gor with y^e sd injurie done him, to whom y^e per sent a Copie of y^e ass: proceedings, requesting his assistance for relief yrin; yⁱ hee was pleased so farr in justice to take notice yⁱ by his Lre to Jn^o Goodson of 24th Sbr, 1691, hee advised yⁱ an amicable end be putt to Rⁱ Turner's bussines about Jn^o White saying in his Lre, tell y^e Council so, & the parties, as my desire, & yⁱ accordinglie y^e sd Jn^o goodson, wt y^e per, went to a full Council & produced to ym y^e sd letter, & pressed yⁱ compliaunce yrwith. And yⁱ notwithstanding y^e sd Rob^t Turner's petitions & applicaons, hee could never prevail to have a hearing or triall. And yrfor, now att last requesting a fair & open trial and Hearing, & yⁱ if it be made appear yⁱ y^e sd vote & resolve hath proceeded on a groundless & false foundaon in matter of fact ag^t y^e per.

Robt Turner, & y^e y^e psons that so past y^e sd votes & resolves wer but 20 instead of 24, the Charteral Quorum, (By which Charter y^e assemblie had power to impeach, & y^e Gor & Council to Judge,) y^e yn the sd minutes, resolves & votes, may by y^e Gor, provincial Council & assemblie, wt y^e revixe sentences y^e followed yron ag^t y^e sd pers, be vacated, declared void & null & of no force nor effect, to all intents, constructions & purposes, in all time hereafter coming, so farr as relates to y^e sd pers revixlie.

Whereupon, y^e pror & Gor desired Jn^o Blunston, the Speaker of the assemblie, to produce the minutes of Ass: held 10th May, 1689, which hee did; and being read, y^e wer yrin inserted y^e sd votes & resolves, with other votes & resolves introductorie yrof; but nothing appearing by y^e sd minutes y^e y^e per. Robt Turner ever signed y^e sd wrt or wrtts, & y^e sd Robt. absolutelie denying y^e hee did, & challenging y^e ass: to prove itt, (wch none of ym could do,) but on y^e contrarie, hee, y^e sd Robt, producing before ym y^e original wrt directed to y^e sheriff, wch was onlie signed by Wm. Markham & Gr. Jones, & not att all by Rt. Turner, (a copie qrof is to remain upon y^e file of y^e minutes of this Council) as also by y^e sd minutes, it plainlie appearing y^e y^e wer onlie psent 19 psons, & the speaker, att passing y^e sd votes & resolves, qras the Charteral number should have been 24, & if y^e had been a Charteral number psent they could not have passed y^e sd votes & resolves ag^t y^e sd Rt. Turner, he never Having signed y^e sd wrt or wrtts, as before is made appear, and nothing in the said minutes appearing that y^e sd Robt Turner was cited before ym, or y^e hee was ever heard to answer for himself. And y^e sd Robt. Turner, per, having been heard to make a full ans^r to y^e sd votes & resolves, & all his petitions, applicaons & prooffs having been read, fullie heard, & y^e matter att Large opened & debated, & having made itt appear y^e y^e sd Arthur Cook on his death bed, told Gr. Jones y^e hee was willing to give satisfacon both to sd Jones & y^e per, in ass, & y^e sd Rot. Turner having openlie declared y^e tho' the words wer not spoken to him, yet they wer full satisfacon to him from y^e sd Arthur.

Therefore, it was the unanimous vote & Resolve of y^e Gor, Council & assemblie, N. C. y^e the sd votes & resolves, [proceeding upon a groundless & false foundation in matter of fact, ag^t y^e sd Rt. Turner, hee never having signed y^e sd wrt or wrtts, & not being heard in his owne defence, & not being made & past by a Quorum or Charteral number as aforesd,] & the sentence of y^e sd Rt. Turner, per, his being made incapable of bearing anie publick office or place of trust in this govrnt, following yron, as also y^e sd other vote & resolve, & sentence following yron, ag^t y^e sd per. Joseph ffisher, Be & are hereby vacated, declared void & null, & of no force nor effect, to all intents, constructions & purposes, as if y^e same had never been made nor past, so farr as concerns y^e sd Rt. Turner & Jos. Fisher, y^e pers revixlie, & y^e a reference be made by y^e seerie in & from y^e sd ass's book of minutes, to y^e minutes of provincial Council held this day, of the vacating & making void & null y^e sd votes, resolves, & sentences past yron, so farr as Concerns y^e sd pers revixlie, and y^e a Copie hereof be delivered

to ym by y^e secrie, to be by ym kept for yr compurgaon & clearance in y^e sd matter, in all time hereafter coming. Copie of y^e reference wttin y^e book of minutes of ass: followes, Viz:—PENNSILVANIA, 31st 3^d mo, 1700, vide y^e minutes of provincial Council & ass: of this date, qrin by an unanimous vote of both the vote & resolves of this ass: of 10th 3^d mo, 1689, & y^e sentences past yron ag^t R^t Turner & Joseph Fisher, yrin rexivlie named, are (for y^e reasons yrin menoned) vacated, declared void & null, & of no force nor effect, to all intents, constructions & purposes, as if the same had never been made, so farr as concerns y^e sd Rt Turner & Jos. fisher, rexivly, sign by ord^r of Gor, Council & assembly, by

PAT. ROBINSON, secry.

Joseph Growdon, Chairman of y^e grand Comittee of both Council & ass: appointed to Consider of certain laws proposed by y^e Go^r, Reported that they had read & partly considred y^e bills about regulaon of Courts, power of the Civil magistrate, Court Barron, Regulaon of Indians, Indian traders & negros, surveyors & y^e fees, & robbing of Orchards, & y^t it was the opinion of the whole Comittee y^t they saw no service in sd bills att this time, neither had they time to consider ym fullie.

Then the propr & Go^r Laid before the Council & assemblie the Consideraon of a Bill to be past for securing the people's properties, & another Bill of supplie to him as Go^r, who never yet these 20 years past, had had a farthing from them.

Adjourned to 1st June, 1700.

1st June, 1700.

Att a Council Held att philadelphia 1st June, 1700, die Sabbathi.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

Upon the Request of some of the merts of philad to the Go^r, Council and ass, setting forth y^t there was this year more tobacco in the river than could be Carried home to England, for want of shippes, if the time of shipping of Tobacco in bulk was not protracted to a Longer day, The pror & Gor appointed some psons to draw up a bill prolonging sd time to the 1st July next; As also, another Bill obliging all vessells going to & from the sea, to call att Newcastle & make report there, und^r a certain penaltie.

Adjourned to 3^d June instant.

[3^d June, 1700.

Att a Council Held att philadelphia die Lunæ, 3^d June, 1700.

PRESENT:

WM. PENN, pror. & Governo^r, et ysdem ut antea.

The pror & Gor appointed some psons to draw up a Bill about the trying and punishing of negroes.

Rob^t French & ph. pemberton, from the ass, informed y^e Go^r & Council that the time of y^e ass: was almost outt, & y^e y^e ass: could not agree upon the precise time of y^e 15 days being outt; Wherupon y^e pror & Gor sent Jos. Growdon & John Hill, to informe ym that in strictness y^e 15 days are not expired (the first days not being in the number) till the sixt instant inclusive, & to desire ym to consider yrof, that the Gor & Council may not be straitned with time to do the publick bussines. They returning from the assemblie, made ans^r that they wold consider yrof.

After some time, two of y^e members of Ass: desired that y^e speaker & ass: might have a Conference with the Gor & Council about y^e time granted.

The members rexivlie appointed brought in a bill prolonging the time prohibiting the shipping tobacco in bulk; also, a Bill obliging all vessells going to & coming from y^e sea, to call att Newcastle & make report there, under a certain penaltie; as also, a Bill about trying & punishing of negroes.

Adjourned to 4th instant.

[4th June, 1700.

Att a Council held att philad. die Martis, 4th June, 1700.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The sd 3 Bills being read by y^e Secrie & amended, wer sent to the House of Representatives for yr assent, by Griffith Owen & Caleb pussey.

The pror & Gor acquainted y^e Council that he had perused and Considered y^e Charter by ym psented to him to be granted, and psented to ym y^e draught of such Charter as hee could grant ym, & appointed Jos. Growdon, Sam^l Carpenter, Rd. Halliwell & Jn^o Donaldson, a Comittee of y^e Council to join a Comittee of Ass, to puse & consider y^e same, & desired sd Halliwell to acquaint y^e ass: yrof.

Adjourned to 5th instant.

[5th June, 1700.

Att a Council Held att philad. die Mercury, 5th June, 1700

PRESENT:

WM. PENN, pro^r & Go^r, et ysdem ut antea.

Joseph Growdon, chairman of sd Committee, made report y^t they had considered of some amendmts of y^e sd draught, wch hee gave y^e pror for his perusal.

Caleb pussey, a member of, made a motion y^t a Bill should be prepared about elections of representatives & y^e fees, & a Bill about a freeman. The pror ordered y^e sd Caleb pussey to prepare itt.

The pror & Gor ordered Griffith Owen to prepare a Bill about sicklie vessells coming into this governmt.

Joseph Growdon made a motion that 3^d in the ll be raised for y^e Go^r's use. Hee ordered sd Growdon to prepare a Bill for that end.

Sam^l Carpenter made a motion y^t a bill might be prepared for raising One pennie p ll & 6s. p poll, for defraying the publick debts of y^e government. The pror & Gor ordered Sam^l Carpenter to draw itt up.

Griffith Owen made a motion that a Bill might be prepared for Laying an Impost upon wine, Rum, Cider, Liquors retailed, for y^e prors. use & support. Hee ordered sd Owen to draw itt up.

Caleb pussey desired y^t a Bill might be prepared to Continue & confirm y^e Laws of this governm^t. The pror appointed sd Caleb to draw itt up.

Adjourned to 6th instant.

6th June, 1700.

Att a Council Held att philad. die Jovis, 6th instant.

PRESENT:

WM. PENN, pror & Go^r, et ysdem ut antea.

Caleb pussey brought in the bill about elections, a freeman & representatives fees, & another Continuing & Confirming y^e Law of this government.

Griffith Owen brought in the Bill about sicklie vessells, & another about Impost.

Sam^l Carpenter brought in the Bill for raising one peannie p ll. for defraying y^e publick debts of the government.

The which 5 Bills, after some amendmts made yrin, wer sent to the house of representatives for their assent.

The pror & Gor recommended the Bills of 3^d in the ll. and of Impost, to the Consideraon of y^e Ass, & Sam^l Carpenter was sent wt ym.

Adjourned to 7th instant.

Att a Council Held att philad die Veneris, 7th June, 1700.

PRESENT:

WM. PENN, propr. and Governo^r.

Sam ⁿ Carpenter,	Richd. Hough,	Robt. French,
Edwd. Shippen,	Jn ^o Sinicoke,	John Hill,
Giffith Owen,	Caleb pussey,	Tho. Fenwick,
Joseph Growdon,	Rich ^d Hallwell,	Sam ^l Preston.
William Biles,	Jn ^o Donaldson,	

The pror & Gor desired Wm. Biles & Caleb pussey to acquaint the assembly that hee & Council waited for ym; who returned they wold attend him.

The ass: appearing, The Speaker psented to y^e Gor & Council eight bills wch had past yr house. The pror told ym Hee wold cause them to be read and Considered, And desired ym wt all speed to Consider of the Charter & the amendmts to be made yrin, & y^t if they could agree among ymselves about the alteraons & amendmts they desired Hee wold for his part, be as condescending and easie as hee could.

After Reading of all the said 8 bills 3 times by y^e secrie, they were by y^e pror, Gor & Council, approved of & assented to.

The 1st, entituled, the Law of a freeman about elections and Representatives fees.

The 2^d, The Law for granting an impost upon wines, Rum, beer, ale, &c, & goods imported, retailed & sold in this province & territories.

The 3^d, The Law requiring all M^r of Shippes & vessells to make report att the town of Newcastle, y^t are or shall be bound to or from y^e sea.

The 4th, The Law for prolonging the time prohibiting the shipping tobacco in Bulk.

The 5th, The Law about trying and punishing negroes.

The 6th, The Law about sicklie vessels coming into this government.

The 7th, The Law for raising one pennie p pound, and six Shills. p head, for paymt of y^e publick debts of the governm^t.

The 8th, The Law for confirming & continouing the Laws of this government.

Then the pror & Gor desired the Secrie to acquaint y^e ass: y^t hee waited for ym. The ass: appearing, the pror & Gor desired the Secrie to read over the sd eight bills, wch hee did, & y^e pror & Gor did underwrite each bill in these words, viz: philad., 7th June, 1700. This bill being 3 times read was assented to. by the Gor & Council, & yn yrto putt his hand & y^e seal of y^e province.

Then y^e pror ask't y^e ass: whether they had prepared any other Bills for his assent, Who answered no.

Then y^e ass: brought in to y^e Gor & Council the Chart hee had proposed to ym, wt amendmts, but after a Long debate, & nothing being like to be agreed upon by reason of y^e opposition between y^e

upper & Lower Counties, about the number of members & representatives charges, & some other clauses yrof,

The pror & Gor, wt y^e Consent of the Councill, putt itt to the vote whether they wold be governed by y^e old Charter; caried in the negative.

Then hee putt it to y^e vote qther, (since the Chart could not be agreed upon,) Hee should not reassume the govermt, as it was after the act of Union, & govern by his Lres pats. from king Charles y^e 2^d, & on y^e foot of y^e act of Union; Caried in the affirmative by y^e members of Council & ass, except 4 or 5.

Therafter itt was by y^e Gor & Council, & all the representatives in ass: unanimsoulie voted, declared & assented to, y^t all y^e Laws past att Chester, & in y^e petion of right, & all the Laws since made, as also y^e Law for Confirming & Continuing y^e Laws of this govrm', made this ss of ass: shall stand, be & Continue in full force & virtue, as hath been Customarie, untill the rising of the next genral ass, & 20 days after, & no Longer, except such Laws, or pts of Laws, as are repealed, altered, or supplied by other Laws.

Therafter y^e pror & Gor, upon the motion of a member of ass, promised y^t the clause of y^e Charter relating to proptie should continue as it was before.

Then Jno. Blunston, Speaker, in the behalf of the representatives of y^e people in ass, & Wm. Biles, in the behalf of y^e representatives of y^e people in Council, for y^e province, & Jn^o Hill & Wm. Rodney for y^e territories, and in behalf of y^e people & representatives in Council & ass, and by and with the unanimous Consent of all y^e members both of Council & ass: present, took y^e Charter, & delivred itt up to the pror & Gor, which hee accepted of att yr Hands and then said:

Friends, since you wer dissatisfied wt y^e Chart^r you had, & y^t you could not agree among yorselves about a new one, I shall be easie in ruling you by the king's Lettrs pats. & act of Union, & shall in the ruleing of you, Consider my grant from the king & you that I am to rule, and shall from time to time endeavour to give you satisfaction. I advise you not to be easilie displeased One with another, be slow to anger & swift to charitie, so I wish you all well to yor homes.

The end of the eight ss. of Council & Assemblie.

The pror & Gor desired y^e ass^{es} to see if the Assemblie wer ready, who returned y^t they wold forthwith wait upon him, wch they accordingly did.

The Sheriff of Philadelphia Countie his return of representatives for ass: was produced, qrb^y wer elected E^t Shippen, Gr. Owen, Beadd Ellis, Isaac Norris.

The Sheriff of Bucks his return was produced, qrb^y yr wer elected, Joseph Grawdon, Rich^d. Hough, Sam^l Dark, Rob^t Heaton.

MINUTES OF COUNCIL IN THE ASSEMBLIE, Anno Ri. Rs.

Gulielmi terty.

[14th October, 1700.

Att a Council Held att Newcastle die Lunæ, 14th 8br, 1700.

PRESENT:

The Honble WILLIAM PENN, absolute proprieter of the province of pennsilvania & territories yrto belonging.

Humph. Morry, Thomas Storie, Caleb pussey, Joseph Growdon, Edw^d Shippen & Griffith Owen, appearing, signified that having been of his Council, but now as by y^e sheriffs of Bucks & philadelphia Counties y^r returns will appear being chosen to serve in ass, desired a dismiss from y^e Council. The Gor told ym y^t for y^e psent hee did dispense w^t their attendance on Council, y^t they might attend in ass, but y^t therafter, & when the ass : was over, Hee expected yr return to yr service in Council.

Adjourned to 15th instant.

[15th Octob', 1700.

Att a Council Held att Newcastle die Martis, 15th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Richd. Halliwell & Jasper Yeates being sent for by y^e pror & Go^r, wer solemnlie attested, took & subf. y^e Qualificaon of Counsellors, & took place att y^e board.

[16th Octob', 1700.

Att a Council held att Newcastle die Mercury, 16th instant.

PRESENT:

WILLIAM PENN, prop^r & Governo^r.

Humph. Morrey,

Caleb pussey,

Jasp. Yeates.

Tho. Storie,

Richd. Hallwell &

The pror & Gor desired y^e scerie to see if the Assemblie wer readie, who returned y^t they wold forthwith wait upon him, wch they accordinglie did.

The Sheriff of philadelphia Countie his return of representatives for ass : was produced, qrbly wer elected E^d Shippen, Gr. Owen, Rould Ellis, Isaac Norris.

The Sheriff of Bucks his return was produced, qrbly yr wer elected Joseph Growdon, Richd. Hough, Samⁿ Dark, Rob^t Heaton.

The Sheriff of Chester his return was produced, qrbv y^r wer elected Joseph Baker, Sam^l Levis, Natll. Newlin, Nicholas pyle.

The Sheriff of Newcastle his Return was produced, qrbv y^r wer elected John Healie, John Grubb, Rob^t French, Tho. pierson.

The Sheriff of y^e Countie of kent his return was produced, qrbv ther wer elected Jn^o Brinklloe, Richd. Wilson, Wm. Morton, Henrie Mollleston.

The sheriff of Sussex his Return was produced, qrbv ther wer elected John Hill, Tho. pemberton, Luke Watson, Jr. Tho. Fenwick.

Which psons so returned appearing, subt y^e qualificaon of representatives in ass. The pror & Gor desired ym to go together & choose y^r Speaker & psent him.

After some time, Joseph Growdon, accompanied by y^e whole house of representatives, appeared before y^e Gor & Council, & acquainted ym y^t they had chose him for yr speaker; who, after hee had disabled himself by representing his unfitness att such a time & for such work, yrfor desired to be excused, & y^t y^e Gor wold order y^e ass: to choose a more fitt pson. The Gor said y^t what y^e ass: had done pleased him. Then y^e sd Joseph Growdon desired y^t att all times they might have access to y^e Gor's pson, & a favourable construcon putt on y^r words, and freedom from arrests; wch y^e Governo^r granted; And yn said:

Friends, The calling you att this time was upon urgent occasions; you know wee want a frame of govrn^t & a bodie of Laws, wtout wch societie cannot sub sist. I recomend to you the revisal of y^e Laws; what to Continue, what to repeal, what to alter, what to explain, & what new ones is requisit to make. Secondlie, I Recomend to you the settling of proptie. 3dlie, a supplie for support of governmt; and I recomend to you amitie & concord among yo^rselves.

Adjourned to 17th instant.

[17th August*, 1700.

Att a Council Held att N. castle die Jovis, 17th instant.

PRESENT:

WM. PENN, pror & Go^t, et ysdem ut antea.

The Gor & Council began with y^e Laws made att Chester, y^t by y^e Council's previous examinaon, mending & altering yrin what they thought needfull, y^e ass's: work might be y^e more facilitated. H. Morrey had leave to go home.

Adjourned to 18th instant.

*October.

18th October, 1700.

Att a Council Held att N. Castle die Veneris, 18th instant.

PRESENT:

WM. PENN, pror & Go^r, et ysdem ut antea.

Griffith Owen & Joseph Baker, from y^e ass, desired y^t the writt & return of representatives chosen for N. Castle Countie might be sent ym; wch was done.

The Gor & Council Contioned to revise y^e Laws for y^e dispatch of y^e assembly.

Then y^e speaker & representatives of ass: (upon a previous message to y^e Gor,) appeared, & humble reprinted to him & Council, y^t upon reading a petition presented to ym by y^e inhabitants of y^e 3 lower 100^s of N. Castle Countie, & on examinaon yrof, y^t they had no notice of sd election, & yrfor, in their house voted y^e sd election void.

Wherupon, the Gor ordered y^e scerie to issue a new writt, directed to y^e sheriff of N. castle Countie, to sumon y^e Inhabitants yrof to meet & make a new choice of 4 representatives for Assembly the 21st instant; wch hee did.

The Gor ordered y^e scerie to attend the Comittee of ass: appointed to revise & prepare y^e Laws, & to explain to ym the observaons & alteraons y^t hee & Council had made yrin. Jasp. Yeates had leave to go home till 21st instant.

The pror & Gor recomended to Tho. Storie y^e Consideraons of the Laws about Testates & Intestates estates, & to make report to-morrow morning. The Gor & Council proceeded in revising y^e Laws.

Adjourned to 19th instant.

[19th October, 1700.

Att a Council Held att N. Castle die Sabbathi, 19th instant.

PRESENT:

WILLIAM PENN, propr. & Governo^r.

Caleb pussey, Rich^d Halwell, & Tho. Storie.

The Gor & Council Continued to proceed in the examinaon & revising y^e Laws in Order to y^e amendmts yrof, both in the fore & afternoon.

Adjourned to 22^d instant.

22^d October, 1700.

Att a Council held att N. Castle die Martis, 22^d instant.

PRESENT:

WM. PENN, pror. & Go^r, et ysdem ut antea.

The Sheriff of y^e Countie of N. Castle his return of y^e late writt directed to him by y^e pror & Go^r for choosing 4 representatives in y^e sd Countie for ass: was produced, yrby it appeared y^t ther wer elected Rich^d Hallwell, Jasp. Yeates, Rob^t French, Jn^e Healy.

Then sd Rich^d Halwell & Jasper Yeates appeared b^efor y^e Go^r Council, signifying y^t having been of his Council, but now as by y^e Sheriff of N. Castle his return appears being chosen to serve in ass, requested his dismiss from y^e Council. The Go^r granted yr desire during y^e ss. of assemblie, but y^rafter expected yr return to yr duty as Councillors to him.

Adjourned to 23^d instant.

[23^d October, 1700.

Att a Council Held att N. Castle die Mercury, 23^d instant.

PRESENT:

WILLIAM PENN, propr. & Governo^r, Tho. Storie, Caleb pussey & Humphrie Morrey.

The Go^r & Council proceeded in the examinaon & revising the Laws, and sent y^e Secrie to y^e ass: wt some Bills to ym, by them to be read & amended, if they saw cause.

Adjourned to 24th instant.

[24th October, 1700.

Att a Council held att N. Castle die Jovis, 24th instant.

PRESENT:

WM. PENN, pror & Go^r, et ysdem ut antea.

The pror & Go^r sent for ph. pemberton, Wm. Biles & Jn^e Blunston, who having been qualified to be of y^e Council, took yr places att y^e board.

The Go^r & Council proceeded in the examining, revising & amending y^e Laws, & desired y^e Secrie to cary some bills to y^e ass: for yr concurrence.

POST MERID.

The Go^r desired Tho. Storie to prepare a bill for y^e regulaon of Courts in y^e province & territories by to-morrow morning, and in y^e

meantime proceeded in examining, revising & amending y^e Laws, by drawing ym up into new bills for y^e ass's: Concurrence.

Adjourned to 25th instant.

[25th October, 1700.

Att a Council Held att N. Castle die Veneris, 25th instant.

PRESENT:

WILLIAM PENN, pror and Governo^r.

Caleb pussey,	Humph. Morrey,	phin. pemberton,
Thomas Story,	Jn ^o Blunston,	William Biles.

Isaac Norris & Jno Hill, from y^e ass, presented to the Gor some of y^e Bills hee had sent ym, wt some amendmts, & twice by ym read, all wch being read & considred by y^e Gor & Council, wer sent back to y^e ass: for a 3^d reading; And in y^e meantime, hee & Council proceeded in examining & revising y^e Laws for y^e ass's: further ease & dispatch.

Adjourned to 26th instant.

[26th Octob^r, 1700.

Att a Council Held att N. Castle die Sabbathi, 26th instant.

PRESENT:

WM. PENN, pror & Go^r, et ysdem ut antea.

Tho. Storie exhibited to y^e Gor & Council a draught of a Bill for the regulaon of Courts of Justice; wch was begun to be read & considered.

Edw^d Shippen & Jn^o Healy psented some bills from y^e ass, wch had been twice read by ym, to be considred of by y^e Governor & Council.

Jasper Yeates & Isaac Norris, from the ass, desired a Conference with the Council; which was granted. The Speaker & ass: appearing, psented to y^e Gor & Council an address, requesting him to adjourn the ass: for some time, & that ph. pemberton, Griffith Jones, David Lloyd & Jn^o Moore, be employed to peuse y^e Laws now in force, in order to amend ym, & to draw up other Bills for y^e several occasions, & desired his Concurrence. After reading yrof, y^e Gor told ym y^e after hee, Council & ass: had agreed on y^e amendments & alteraons of y^e Laws now in force, & what wer fitt to be continued, y^e assemblie might then make use of whom they pleased to word ym.

Adjourned to 28th instant.

28th October, 1700.

Att a Council Held att N. Castle die Lunæ, 28th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor desired y^e Secrie to read outt y^e rest of the Bill for regulating Courts, wch hee did; & in y^e afternoon it was again begun to be read over §. by §. & several additions & amendments wer made yrin.

Adjd. to 29th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

29th October, 1700.

Att a Council held att N. Castle die Martis, 29th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The remaining parts of y^e sd Bill for regulating Courts, both in the fore & afternoon, wer read, debated and amended.

Adjd. to 30th instant.

30th October, 1700.

Att a Council Held att N. Castle die Mercury, 30th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The Gor desired the Secrie to Carry to y^e ass: the Bill for regulating Courts of Justice, for their perusall, which hee did. Two members of ass: brought y^e Gor & Council some more Bills by them twice read.

Adjourned to p. m.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Att wch time y^e Gor & Council having pused y^e remaining bills sent by y^e ass, & by ym twice read, Ordered y^e Secrie to return ym to y^e ass: for y^e 3^d reading.

Adjourned to 31st instant.

31st Octob^r, 1700.

Att a Council Held att N. Castle, die Jovis, 31st instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The Gor & Council proceeded in reading, revising, altering & amending the Laws for y^e more speedie dispatch of y^e ass, & sent ym some other Bills.

Adjourned to 1st Nov^r.

1st Novemb^r, 1700.

Att a Council Held att N. Castle die Veneris, 1st Nov^r, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Two members from y^e ass: brought some bills from ym y^e had been twice read, for y^e pusal of y^e Gor & Council, wch wer accordinglie by ym read & returned to y^e ass: for a third reading.

Adjourned to p. m.

Att wch time Griffith Jones, in behalf of — Richardson, son of John Richardson of y^e Countie of kent, deced, brought in a draught of a bill for taking off the attainer of y^e sd John Richardson, deced, and y^e sd Griffith Jones Having been heard how hee could make good y^e reasons of his request in sd bill contained, The Gor & Council, after perusal yrof, Comitted y^e further perusal of y^e same to Tho. Storie, & ordered him to report y^e reasonableness yrof to-morrow.

Adjourned to 2^d instant.

2^d Novemb^r, 1700.

Att a Council Held att N. Castle die Sabbathi, 2^d No^r, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Storie gave in to y^e Gor & Council y^e Bill for taking off y^e attainer aforesaid, wt amendments, wch was read and debated.

Two members of ass: brought to y^e Gor & Council some more Bills for their perusal, which wer by ym read and Considered.

Adjourned to p. m.

Att wch time Gr. Owen & Jn^o Hill, from y^e ass, brought to y^e Gor & Council another bill, by ym twice read, for yr perusall. The Gor desired y^e Secrie to carrie to y^e ass: 3 bills more for ym to Consider of.

Adj. to 4th instant.

4th Novemb^r, 1700.

Att a Council Held att N. Castle die Lunæ, 4th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Gr. Owen & Rd Halwell, from y^e ass, acquainted y^e Gor yⁱ y^e ass: desired a Conference wt him & Council about the act of Union, which y^e pror granted to be held att 4 post merid. The Gor caused the Secrie to read some other Laws yⁱ had been twice read by the assemblie.

Adjourned to 4 p. m.

Att which time Joseph Growdon, Speaker, & representatives in ass, held a Conference with the Gor and Council, about y^e act of Union, & that it was in force.

Adjourned to 5th instant.

[5th Novemb^r, 1700.

Att a Council held att N. Castle 5th Novemb^r, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jasp. Yeates & Is. Norris, from y^e ass, desired another Conference with y^e Gor & Council about y^e act of Union, wch hee granted. The Gor ordered y^e Secrie to Carry all y^e remaining Laws yⁱ had been twice read by y^e ass: to ym, wch hee did.

Aftnoon y^e Gor & Council proceeded to prepare some other bills to be caried to y^e ass.

Adjourned to 6th instant.

[6th Novemb^r, 1700.

Att a Council Held att Newcastle 6th Novemb^r, 1700.

PRESENT:

The pror & Gor, et ysdem ut antea.

The pror & Gor sent by y^e Secrie some other bills that had been twice read by the ass: for y^e Concurrence. Edw^d Shippen & Rich^d Hallwell, from y^e ass, brought to y^e Gor & Council 26 bills by ym thrice read, for y^e assent.

POST MERIDIEM.

Two members of ass: brought from ym some more Bills that had been by ym thrice read, for y^e Gor & Council's assent.

The pror & Gor ordered Rob^t Ashton & James Logan, to ingross y^e Laws sent by y^e ass, & by them trice read, in order to be past into Laws.

Adjourned to 7th instant.

[7th Novemb^r, 1700.

Att a Council Held att N. Castle die Jovis, 7th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Rob^t French & Gr. Owen brought to y^e Gor & Council some more Bills past y^e ass: thrice, for y^e assent. ph. pemberton & Tho. Storie wer by y^e pror & Gor sent to y^e ass. wt some Laws y^e had been brought to ym from ass: thrice read, with some amendments.

P. M. Two members brought from y^e ass: some more Bills y^e had been by ym thrice read, for y^e Gor & Council's Concurrence, wch wer read.

Adjourned to 8th instant.

[8th Novemb^r, 1700.

Att a Council Held att N. Castle die Veneris, 8th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Gr. Owen & R^t French, from y^e ass, delivred a message To y^e Gor & Council, desireing y^e Law of Seven years Quiet possession to continue as before.

The Gor desired ym to acquaint the ass: that hee desired a Conference wt them about that and some other Bills.

Adjourned to 9th instant.

[9th Novemb^r, 1700.

Att a Council Held att N. Castle die Sabbati, 9th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jn^o Hill & Rⁱ Heaton, from the ass, desired a Conference wt Gor & Council about y^e Bill of 7 years Quiet possession; wch hee granted. The Speaker & ass: appearing, & after Conference y^e bill was returned to y^e ass.

Ph. pemberton & Jn^o Blunston wer sent by y^e Gor & Council to y^e assemblee with 3 more bills, & to desire ym to dispatch. The Gor caused the Secrie to read y^e Laws y^t had been thrice read by y^e ass; wch hee did.

Adjd. to p. m.

Att wch time Tho. Fenwich & Samⁱ Dark brought some Bills from y^e ass, by them thrice read, for y^e Gor & Council's Concurrence.

ph. pemberton & Tho. Storie wer by y^e Gor sent to y^e ass, to explain to ym some amendments they had made in some Bills y^t y^e ass: had sent to ym.

Adjourned to 11th instant.

11th Novemb^r, 1700.

Att a Council Held att N. Castle die Lunæ, 11th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem; except Wm. Biles.

Jno Hill & Jos. Baker brought some Bills from ass: for Gor & Council's Concurrence, wch having been read, wer returned to ym for y^e 3^d reading. ph. pemberton & Tho. Storie wer sent by y^e Gor to y^e ass: wt some new Bills.

The pror & Gor sent y^e Secrie to y^e ass: wt the Bill about the post office, for y^e Concurrence yrin, and sent 2 of y^e Council to y^e ass, desiring a Conference wt ym about certain Laws; which was granted.

Adjourned to 12th instant.

12th Novemb^r, 1700.

Att a Council Held att N. Castle die Martis, 12th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Samⁱ Lewis & Tho. Fenwick brought some bills from y^e ass: that had been thrice read by ym, for the Gor & Council's Concurrence.

Adjourned to 13th instant.

13th Novemb', 1700.

Att a Council Held att N. Castle die Mercury, 13th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The Gor & Council proceeded to prepare some Laws to pset to the assembly, &c.

Adjourned to 14th instant.

14th Novemb', 1700.

Att a Council Held att N. Castle die Jovis, 14th instant.

PRESENT:

WM. PENN, pror & Go', et ysdem ut antea.

Jn^o Blunston & Caleb pussey wer by y^e Gor sent to y^e ass: with some bilis and amendments.

Adjourned to 15th instant.

15th Novemb', 1700.

Att a Council Held att Newcastle die Veneris, 15th instant.

PRESENT:

WM. PENN, pror & Gor. et ysdem ut antea.

Edwd. Shippen, Richd. Halwell, Jasp. Yeates, & Isaac Norris, brought two bills y^e had been three times read, for y^e Gor & Council's Concurrence, and delivered to the pror & Gor y^e frame of govermt wt y^e amerldts yrof, for his pusall.

POST MERIDIEM.

Jn^o Hill & John Healy brought some bills to y^e Gor & Council that had been twice read by y^e ass.

Adjourned to 16th instant.

16th Novemb', 1700.

Att a Council Held att N. Castle die Sabbathi, 16 instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jn^o Blunston, a member of this board, had leave from y^e pror & Gor to go Home.

Adjourned to 18th instant.

18th Novemb', 1700.

Att a Council Held att Newcastle die Lunæ, 18th Nov', 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Fenwick & Nicho. Newlin, brought from y^e ass: foure Bills that had been three times read, for their Concurrence. The pror & Gor desired y^e Secrie to Carry back to y^e ass: y^e bill about y^e preservation of his pson, wt some amendmts.

Jasper Yeates & Isaac Norris brought to y^e pror & Gor y^e Bill of proprietie from y^e ass; wch was read, & y^e Consideraon yrof deferred to post meridiem.

PRESENT:

Att wch time y^e pror & Gor desired y^e Secrie to read over y^e bill of proptie; wch was done, and some part of it debated.

Adjourned to 19th instant.

19th Novemb', 1700.

Att a Council held att N. Castle die Martis, 19th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Foure members of ass: acquainted- y^e pror & Gor y^t y^e ass: could not agree about y^e upper & Lower Counties propors about y^e bill of support of govermt; wheron y^e pror & Gor desired a Conference wt y^e ass: on yⁱ affair; Which they accordingly had.

Adjourned to p. m.

—

Att wch time, Upon reading the petion of James Sandilands of Chester town, to the ———.

Adjourned to the 20th instant.

(20th Novemb', 1700.

[20th Nov', 1700.

Att a Council held att Newcastle die Mercury, 20th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Fenwick & Nicho. Newlin, from y^e ass, desired y^e Gor to appoint a member of Council to meet with two members of ass. to compare y^e Laws y^t wer ingrossed; who accordingly appointed Caleb pussey.

Adjourned to 21st instant.

[21st Nov^r. 1700.

Att a Council held att N. Castle die Jovis, 21st instant.

PRESENT :

WM. Penn, pror & Gor, et ysdem ut antea.

The Gor and Council did Consider some other branches & parts of y^e Bill of proptie, and debated y^e same.

Adjourned to 22^d instant.

[22^d Nov^r. 1700.

Att a Council Held att N. Castle die Veneris, 22^d instant.

PRESENT :

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor did further Consider y^e Bill of proptie & sent y^e scerie to the ass. to desire a Conference wth ym about y^e same y^e 23^d instant.

Adjourned to 23^d instant.

[23^d Novemb^r, 1700.

Att a Council Held att N. Castle die Sabbathi, 23^d instant.

PRESENT :

WM. PENN, pror & Gor, et ysdem ut antea.

The Ass: appeared, & the pror & Gor delivred to the Speaker in writting some objections ag^t some pts of y^e Bill of proptie, for y^e Consideraon, & after some anrs made by the ass: yrto; The Speaker delivered to y^e pror & Gor the Bill for raising monie for support of govrmt & deputed to yr owne house.

The pror & Gor caused y^e Secrie to read y^e sd bill for support, &c., which hee did, & after some amendmts yrof the Gor desired Jn^o. Blunston to carrie it to y^e assemblee for their Concurrence.

Adjourned to 25th instant.

[25th Novemb^r, 1700.

Att a Council Held att N. Castle die Lunae, 25th instant.

PRESENT :

WM. PENN, pror & Gor, et ysdem ut ante.

Two members from y^e ass: related to y^e Gor, some objections they had ag^t y^e Bill of proptie, wch y^e Gor satisfied ym in, & desired they wold acquaint y^e ass: y^t they wold make what haist they could to draw to an end by reason of y^e hard season, and his indisposition of bodie.

Adjd to p. m.

Att wch time 2 members from y^e ass: brought to y^e Gor & Council the Bill of proptie, y^e Bill for y^e support of y^e Govrmt, & a Bill for a Bridge over Chester Creek, thrice read, & desired his Concurrence yrin. The pror & Gor desired y^e secrite to gett y^e sd 3 Bills ingrossed, & y^e they might, with the other Bills be Comped. by y^e appointed members of Council & ass: in order to be past into laws. Adjourned to 27th instant.

[27th Nov^r 1700.

Att a Council held att Newcastle die Mercury, 27^a.

PRESENT:

WM. PENN, pror & Gov, et ysdem ut antea,

The pror & Gor sent y^e secrite to the ass, desiring the Speaker & y^e whole House of representatives to wait upon him in ord^r to have y^e Laws past.

Accordinglie they appeared, & y^e pror & Gor caused y^e Secrite to read the titles of all the Laws y^e had been engrossed in number—— Contained in —— sheets of paper, & askt y^e member of Council, Caleb Pussey & y^e members of ass: Jasp Yeates & Isaac Norris, whether they wer satisfied y^e titles read wer the titles of y^e Laws they had Comped, & that they wer trulie ingrossed, who answered y^e they wer satisfied with both.

Wherupon, after y^e pror had caused y^e sd Laws to be signed by y^e Speaker Joseph Growdon, in name & behalf of y^e assemblie, & had Caused y^e great seal to be appended to y^e same—Hee openlie, in presence of y^e Councill & assembly, declared the same to be the Laws of the province of Pennsylvania & the Territories y^eto belonging, according to y^e kings Letters patent, granted to Him und^r y^e great Seal of England. And did prorogue this Assembly to y^e first of April next, but said hee wold not Call ym together till the eighth moneth came, twelve moneth without a Verie emergent occasion.

END OF VOL. I.

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